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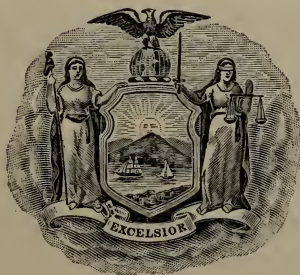
JOURNAL
OF THE
ASSEMBLY

OF THE
STATE OF NEW YORK

AT THEIR
ONE HUNDRED AND THIRTIETH SESSION

BEGUN AND HELD AT THE CAPITOL IN THE CITY OF ALBANY,
ON WEDNESDAY, THE SECOND DAY OF JANUARY, 1907

VOLUME IV



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his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Merritt gives notice that he requests that Assembly bill (No. 1270, Int. No. 1083) entitled "An act to establish the public service commissions and prescribing their powers and duties, and to provide for the regulation and control of certain public service corporations and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

The Senate sent for concurrence the following entitled bills:

"An act to amend the Forest, Fish and Game Law, in relation to game protectors" (No. 526, Rec. No. 359), which was read the first time and referred to the committee on ways and means.

"An act to amend the Domestic Relations Law, by providing for marriage licenses" (No. 1563, Rec. No. 360), which was read the first time and referred to the committee on the judiciary.

"An act constituting the charter of the city of Rochester" (No. 1545, Rec. No. 361), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Railroad Law, relative to rates of fare" (No. 1211, Rec. No. 362), which was read the first time and referred to the committee on railroads.

"An act to amend the Forest, Fish and Game Law, in relation to the close season for hares and rabbits in Erie, Genesee, Wyoming and other counties" (No. 1429, Rec. No. 363), which was read the first time and referred to the committee on fisheries and game.

"An act to amend the Forest, Fish and Game Law, relative to the protection of trout in any of the waters of the county of Madison" (No. 1305, Rec. No. 364), which was read the first time and referred to the committee on fisheries and game.

"An act to legalize the acts of Jacob W. Kahn, a commissioner of deeds" (No. 1129, Rec. No. 365), which was read the first time and referred to the committee on the judiciary.

"An act to amend the Penal Code, relating to the sentencing

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of certain convicts to State prisons" (No. 744, Rec. No. 366), which was read the first time and referred to the committee on codes.

"An act to empower the Commissioners of the Land Office to release to Charles W. Dayton all the right, title and interest of the people of the State of New York in and to certain real estate in the city, formerly town of Yonkers, county of Westchester, State of New York, acquired by escheat or forfeiture upon the death of Charles Scola and Carlo Scola" (No. 1551, Rec. No. 367), which was read the first time and referred to the committee on ways and means.

"An act to authorize the appointment of a commission to inquire into the local government of the city of New York and the charter thereof, and suggest legislation thereon" (No. 1246, Rec. No. 368), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Penal Code, in relation to public morals" (No. 1373, Rec. No. 369), which was read the first time and referred to the committee on codes.

"An act to amend the Railroad Law, in relation to conductors and brakemen acting as policemen" (No. 1444, Rec. No. 370), which was read the first time and referred to the committee on railroads.

"An act to authorize the completion of a dike for the protection of property adjacent to the Delaware river in the village of Barryville and making an appropriation therefor" (No. 1400, Rec. No. 371), which was read the first time and referred to the committee on ways and means.

"An act providing for the acquisition of land for extension of the forest preserve, and making an appropriation therefor" (No. 1561, Rec. No. 372), which was read the first time and referred to the committee on ways and means.

"An act to amend chapter seven hundred and eighteen of the Laws of nineteen hundred and four, entitled 'An act authorizing the selection of lands as a site for the New York State Training School for Boys, and establishing the said school,' as amended by chapter one hundred and thirty-three of the Laws of nineteen hundred and five and by chapter six hundred and seventeen of

the Laws of nineteen hundred and six, in relation to the selection of lands and the time of making report" (No. 1553, Rec. No. 373), which was read the first time and referred to the committee on ways and means.

"An act to authorize the city of Mount Vernon to issue bonds for the purpose of defraying a deficiency in the police fund for the fiscal year beginning May first, nineteen hundred and seven" (No. 1423, Rec. No. 374), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relative to the issuance of subpoenas and the attendance of witnesses" (No. 233, Rec. No. 375), which was read the first time and referred to the committee on codes.

"An act for the relief of John Holzer, a retired policeman of the city of New York" (No. 1030, Rec. No. 376), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Motor Vehicle Law, in relation to re-issuing of registration seal" (No. 1547, Rec. No. 377), which was read the first time and referred to the committee on general laws.

"An act to repeal chapter nine hundred twenty-seven of the Laws of eighteen hundred ninety-five, relative to the naturalization of aliens in the courts of this State" (No. 1364, Rec. No. 378), which was read the first time and referred to the committee on the judiciary.

"An act to provide for the appointment of policemen for the Niagara, Lockport and Ontario Power Company" (No. 1299, Rec. No. 379), which was read the first time and referred to the committee on the judiciary.

"An act to authorize the commissioners of the sinking fund of the city of New York to refund certain moneys paid for taxes for the years nineteen hundred and one, nineteen hundred and two and nineteen hundred and three, affecting property situate in the borough of Brooklyn, in the city of New York, now belonging to and upon which is erected the church edifice of the

Fourth Unitarian Congregational Church of Brooklyn" (No. 1466, Rec. No. 380), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the charter of the city of Fulton, in relation to providing for a hospital fund by taxation" (No. 1445, Rec. No. 381), which was read the first time and referred to the committee on affairs of cities.

"An act to confer jurisdiction on the Court of Claims to hear, audit and determine the alleged claim of Ella Nagle against the State of New York for damages alleged to have been sustained by her and to render judgment therefor" (No. 1076, Rec. No. 382), which was read the first time and referred to the committee on claims.

"An act to permit the city of New York to sell or lease to the Cooper Union for the advancement of science and art, the block of ground in said city, bounded by Third avenue, East Sixth street, East Seventh street and Hall place, with the building thereon" (No. 1480, Rec. No. 383), which was read the first time and referred to the committee on affairs of cities.

"An act providing for the Court of General Sessions of the city and county of New York, its judges and officers" (No. 1509, Rec. No. 384), which was read the first time and referred to the committee on affairs of cities.

"An act in relation to the construction of certain railroads where the property and franchises of the corporation organized to construct the same have been sold under foreclosure proceedings" (No. 1562, Rec. No. 385), which was read the first time and referred to the committee on railroads.

"An act to legalize and confirm the certificate of incorporation and the incorporation of the Corning, Keuka Lake and Ontario Railway Company and the proceedings taken and had under or in pursuance of said certificate" (No. 1321, Rec. No. 386), which was read the first time and referred to the committee on railroads.

"An act to amend chapter five hundred and thirty-one of the Laws of eighteen hundred and eighty-one, entitled 'An act for the protection of taxpayers,' in relation to the burden of proof in certain actions" (No. 1452, Rec. No. 387), which was read the first time and referred to the committee on the judiciary.

"An act in relation to the filing by the supervisors of Columbia county of itemized statements of accounts heretofore audited and paid to them" (No. 1548, Rec. No. 388), which was read the first time and referred to the committee on internal affairs.

"An act to amend the General Municipal Law, in relation to the investigation of expenditures of counties" (No. 1430, Rec. No. 389), which was read the first time and referred to the committee on internal affairs.

"An act to amend section eight of title three of chapter two hundred and three of the Laws of nineteen hundred and seven, entitled 'An act to revise and amend the charter of the city of Newburgh, being chapter five hundred and forty-one of the Laws of eighteen hundred and sixty-five, and the several acts amendatory thereof and supplemental thereto,' in relation to actions and claims for damages against said city" (No. 1498, Rec. No. 390), which was read the first time and referred to the committee on affairs of cities.

"An act to validate a certain deed of conveyance of land in the city of New York, and authorizing the rector, churchwardens and vestrymen of Saint George's Church in the city of New York, to convey the same to the New York Protestant Episcopal City Mission Society" (No. 1425, Rec. No. 391), which was read the first time and referred to the committee on the judiciary.

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of William H. Bahn against the State of New York, and to render judgment therefor" (No. 1549, Rec. No. 392), which was read the first time and referred to the committee on claims.

By unanimous consent, Mr. Wainwright introduced a bill entitled "An act to authorize the city of New York and the village of Mount Kisco, Westchester county, New York, to enter into a contract or agreement to provide for the disposal of the sewage of said village and to allow the city of New York to acquire such lands, as may be necessary in and about said village and to raise funds to carry said contract or agreement into effect" (Int. No. 1873), which was read the first time and referred to the committee on affairs of villages.

By unanimous consent, Mr. Haines introduced a bill entitled "An act to prohibit the erection of elevated railroad structures

upon certain streets in the city of Yonkers" (Int. No. 1874), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Frisbie introduced a bill entitled "An act to legalize the proceedings of certain meetings of the voters of school district No. twelve, towns of Rotterdam and Niskayuna, Schenectady county, N. Y., and to the trustee of said district in the issuance and sale of bonds to the amount of eighteen thousand dollars" (Int. No. 1875), which was read the first time and referred to the committee on internal affairs.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Waddell (No. 1474, Int. No. 1222), entitled "An act amending the Revised Statutes relating to State prisons, relative to the labor of prisoners in penal institutions."

Also, Assembly bill introduced by Mr. Prentice (No. 2624, Int. No. 1832), entitled "An act to amend the Primary Election Law, in relation to certified copies of certain enrollment records."

Also, Assembly bill introduced by Mr. Lee (No. 2605, Int. No. 1823) entitled "An act to amend the Code of Civil Procedure, in relation to Richmond county."

Also, Assembly bill introduced by Mr. Eggleston (No. 2632, Int. No. 1841), entitled "An act to amend the Agricultural Law, in relation to the manufacture and sale of vinegar," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Foelker (No. 1334, Assembly reprint No. 2644, Rec. No. 316), entitled "An act to amend the Greater New York charter, in relation to the powers of the board of estimate and apportionment."

Also, Senate bill introduced by Mr. Carpenter (No. 374, Rec. No. 244), entitled "An act to amend chapter six hundred and thirty-five of the Laws of eighteen hundred and ninety-five, enti-

tled 'An act to revise the charter of the city of Yonkers,' relative to members of disbanded fire, hose, engine, and hook and ladder companies."

Also, Senate bill introduced by Mr. Grattan (No. 1462, Rec. No. 330) entitled "An act to establish a retirement fund for teachers, principals and supervisors of the public schools in the city of Albany, and to regulate the collection, management and disbursement thereof."

Also, Senate bill introduced by Mr. Hasenflug (No. 1149, Assembly reprint No. 2549, Rec. No. 222), entitled "An act to amend the Greater New York charter by providing for additional city magistrates, and for additional police clerks, assistant clerks, stenographers and interpreters for city magistrates' courts, in the second division of the city of New York," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Foelker (No. 501, Assembly reprint No. 2526, Rec. No. 75), entitled 'An act to amend an act, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals, being chapter five hundred and eighty of the Laws of nineteen hundred and two,' to authorize the formation of an appellate term in the second judicial department, to appoint clerks and attendants, and to provide for the expenses thereof," reported in favor of the passage of the same without amendment, and that the same be made a special order on third reading immediately, which report was agreed to, and said bill ordered made special orders on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Croak (No. 1868, Int. No. 1453), entitled "An act to amend the Greater New York charter, relative to employees of water works companies," reported the same with the following amendments:

Page 1, line 6, before the word "engineer" insert "pipe fitter".

Page 2, line 3, strike out the words "prior thereto have".

Page 2, line 3, change the word "passed" to "pass".

Page 2, strike out all of line 6, after the word "shall", lines 7, 8, 9, 10 and 11 and insert " , after the city of New York shall have assumed the operation of said water works, have their names placed upon appropriate lists for employment thereon for the same or similar service in the department of water supply, gas and electricity of such city as they performed on the first day of January, nineteen hundred and seven. For appointments under the provisions of this act, the municipal civil service commission shall make certifications from such lists before certifications are made from any other lists, and the commissioner of water supply, gas and electricity shall in his discretion have authority to make appointments from the lists provided for herein under the same rules and regulations of the municipal civil service commission of the city of New York as govern appointments from the regular municipal civil service eligible lists".

and requests that said bill be reprinted, as amended, and recommended to said committee, which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Wagner (No. 1202, Int. No. 287), entitled "An act to amend the Code of Civil Procedure with respect to the City Court of the city of New York, relating to an increase of the number of justices and salaries of justices, the duties of the justices abrogating the limitation of the clerk of the amount for which judgment may be entered, and repealing the section relating thereto, relating to the appointment and removal of clerks, attendants, et cetera, and their duties, creating an appellate term of the court for the hearing of appeals from the municipal courts of the city of New York and from the City Court, and providing how such appeals may be heard, and judgments thereon enforced and allowing appeals to the Appellate Division in certain cases from judgments of the City Court, and also in reference to other matters pertaining to the administration of the court," reported the following substitute bill:

(See Appendix No. 36.)

and requests that said substitute bill be reprinted and recommitted to said committee, which report was agreed to, and said substitute bill ordered printed and recommitted to said committee.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Conklin (No. 2655, Int. No. 1844), entitled "An act to amend the Greater New York charter, relating to the defining of the powers of the commissioners of accounts to conduct examinations and to compel the attendance of witnesses," reported the same with the following amendments:

On page 2, line 11, after the word "time" strike out the comma.

On page 2, line 14, after the word "facts" insert the following: "in connection with [these]".

On page 2, line 15, print word "*such*" in italics.

and requests that said bill be reprinted, as amended, and recommitted to said committee.

Which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Hoey (No. 1873, Int. No. 1459), entitled "An act to amend section twenty-one of chapter three hundred and seventy of the Laws of eighteen hundred and ninety-nine, entitled 'An act in relation to the civil service of the State of New York, and the cities and civil divisions thereof, constituting chapter three of the general laws,'" reported the same with the following amendments:

On page 3, line 7, after the word "explanation" insert the following: "and with the right to such employee or appointee to a review by a writ of certiorari."

On page 3, line 23, strike out after the word "employees" the following: "for a similar office or position in which the class of work they have been so employed at is done" and insert the following: "for the office or position [of] or for the class of work in which they have been employed."

and requests that said bill be reprinted, as amended, and recommitted to said committee.

Which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill introduced by Mr. Agnew (No. 1368, Rec. No. 349), entitled "An act to amend chapter three hundred and thirty-four of the Laws of nineteen hundred and one, entitled 'An act in relation to tenement houses in cities of the first class,' as heretofore amended," reported the same with the following amendment:

Add to the title the following, "in relation to measuring the height of tenement houses fronting on a part of Riverside avenue, in the city of New York,"

and requests that said bill be reprinted, as amended, and recommitted to said committee.

Which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Merritt (No. 1270, Int. No. 1083), entitled "An act to establish the public service commissions and prescribing their powers and duties, and to provide for the regulation and control of certain public service corporations and making an appropriation therefor," reported the following substitute bill:

(See Appendix No. 35.)

and requests that said substitute bill be reprinted and recommitted to said committee.

Which report was agreed to, and said substitute bill ordered printed and recommitted to said committee.

Mr. Speaker announced the special order, being the bill (No. 2675) entitled "An act to amend chapter four hundred and sixty-nine of the Laws of nineteen hundred and six, entitled 'An act to provide for issuing of bonds of the State for the improvement of highways, and making appropriation therefor,' generally." (Int. No. 1839.)

On motion of Mr. Hamn, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 104

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Smith A E
Apgar	Donnelly	Haines	Merritt	Smith Myron
Baldwin	Draper	Hamilton	Miller	Staley
Baumann	Duell	Hammond	Mills	Stern
Blue	Eagleton	Harawitz	Moreland	Stevenson
Bohan	Eichhorn	Harris	Morgan	Stratton
Brady	Farrell	Hart	Murphy C F	Todd
Brooks	Ferguson	Hastings	Murphy G W	Volk
Brough	Filley	Hoey	Northrup	Waddell
Buckley	Flanagan	Hooper	Norton	Wagner
Burhyte	Foley C F	Hurd	Oliver	Wainwright
Burns	Foley J A	Huth	Phillips	Walters
Burzynski	Francis	Jackson	Prentice	Weber
Chamberlain	Ganly	Keller	Prince	Weimert
Cole	Garbe	Lee	Ralston	Wells
Collins	Geoghagan	Lewis	Robinson	West
Conklin	Glore	Loos	Schmidt	Whitney G H
Croak	Gluck	Lupton	Schoeneck	Winters
Cunningham	Goldberg	Maher	Schwegler	Yale
Cuvillier	Gray	Mance	Shuttleworth	Young
Dobbs	Gunderman	Matthews	Sinclair	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1035, Assembly reprint No. 2593) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section seven of article seven of the Constitution" (Rec. No. 300). Said bill having been announced for a second reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was made a special order on second and third reading for Tuesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 2677) entitled "An act to amend the Tenement-House Act, in relation to buildings of a certain character." (Int. No. 1767.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 104

NOES 1

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Smith A E
Apgar	Donnelly	Haines	Merritt	Smith Myron
Baldwin	Draper	Hamilton	Miller	Staley
Baumann	Duell	Hammond	Mills	Stern
Blue	Eagleton	Harawitz	Moreland	Stevenson
Bohan	Eichhorn	Harris	Morgan	Stratton
Brady	Farrell	Hart	Murphy C F	Todd
Brooks	Ferguson	Hastings	Murphy G W	Volk
Brough	Filley	Hoey	Northrup	Waddell
Buckley	Flanagan	Hooper	Norton	Wagner
Burhyte	Foley C F	Hurd	Oliver	Wainwright
Burns	Foley J A	Huth	Phillips	Walters
Burzynski	Francis	Jackson	Prentice	Weber
Chamberlain	Ganly	Keller	Prince	Weimert
Cole	Garbe	Lee	Ralston	Wells
Collins	Geoghagan	Lewis	Robinson	West
Conklin	Glore	Loos	Schmidt	Whitney G H
Croak	Gluck	Lupton	Schoeneck	Winters
Cunningham	Goldberg	Maher	Schwegler	Yale
Cuvillier	Gray	Mance	Shuttleworth	Young
Dobbs	Gunderman	Matthews	Sinclair	

In the negative:

Sheridan

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1474) entitled "An act amending the Revised Statutes relating to State prisons, relative to the labor of prisoners in penal institutions" (Int. No. 1222). Said bill having been announced for a second reading,

On motion of Mr. Moreland, said bill was recommitted to the committee on rules, retaining its place on the order of second reading.

Mr. Speaker announced the special order, being the bill (No. 2624) entitled "An act to amend the Primary Election Law, in relation to certified copies of certain enrollment records." (Int. No. 1832.)

On motion of Mr. Prentice, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 104

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Smith A E
Appar	Donnelly	Haines	Merritt	Smith Myron
Baldwin	Draper	Hamilton	Miller	Staley
Baumann	Duell	Hammond	Mills	Stern
Blue	Eagleton	Harawitz	Moreland	Stevenson
Bohan	Eichhorn	Harris	Morgan	Stratton
Brady	Farrell	Hart	Murphy C F	Todd
Brooks	Ferguson	Hastings	Murphy G W	Volk
Brough	Filley	Hoey	Northrup	Waddell
Buckley	Flanagan	Hooper	Norton	Wagner
Burhyte	Foley C F	Hurd	Oliver	Wainwright
Burns	Foley J A	Huth	Phillips	Walters
Burzynski	Francis	Jackson	Prentice	Weber
Chamberlain	Ganly	Keller	Prince	Weimert
Cole	Garbe	Lee	Ralston	Wells
Collins	Geoghagan	Lewis	Robinson	West
Conklin	Glore	Loos	Schmidt	Whitney G H
Croak	Gluck	Lupton	Schoeneck	Winters
Cunningham	Goldberg	Maher	Schwegler	Yale
Cuvillier	Gray	Mance	Shuttleworth	Young
Dobbs	Gunderman	Matthews	Sinclair	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2605) entitled "An act to amend the Code of Civil Procedure, in relation to Richmond county." (Int. No. 1823.)

On motion of Mr. Lee, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 104

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Smith A L
Apgar	Donnelly	Haines	Merritt	Smith Myron
Baldwin	Draper	Hamilton	Miller	Staley
Baumann	Duell	Hammond	Mills	Stern
Blue	Eagleton	Harawitz	Moreland	Stevenson
Bohan	Eichhorn	Harris	Morgan	Stratton
Brady	Farrell	Hart	Murphy C F	Todd
Brooks	Ferguson	Hastings	Murphy G W	Volk
Brough	Filley	Hoey	Northrup	Waddell
Buckley	Flanagan	Hooper	Norton	Wagner
Burhyte	Foley C F	Hurd	Oliver	Wainwright
Burns	Foley J A	Huth	Phillips	Walters
Burzynski	Francis	Jackson	Prentice	Weber
Chamberlain	Ganly	Keller	Prince	Weimert
Cole	Garbe	Lee	Ralston	Wells
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Croak	Gluck	Lupton	Schoeneck	Winters
Cunningham	Goldberg	Maher	Schwegler	Yale
Cuvillier	Gray	Mance	Shuttleworth	Young
Dobbs	Gunderman	Matthews	Sinclair	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2632) entitled "An act to amend the Agricultural Law, in relation to the manufacture and sale of vinegar" (Int. No. 1841), having been announced for a second reading,

On motion of Mr. Moreland, and by unanimous consent, said bill was made a special order on second and third reading for Tuesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the Senate bill (No. 1334, Assembly reprint No. 2644) entitled "An act to amend the Greater New York charter, in relation to the powers of the board of estimate and apportionment." (Rec. No. 316.)

On motion of Mr. Lee, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 104

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Smith A E
Appar	Donnelly	Haines	Merritt	Smith Myron
Baldwin	Draper	Hamilton	Miller	Staley
Baumann	Duell	Hammond	Mills	Stern
Blue	Eagleton	Harawitz	Moreland	Stevenson
Bohan	Eichhorn	Harris	Morgan	Stratton
Brady	Farrell	Hart	Murphy C F	Todd
Brooks	Ferguson	Hastings	Murphy G W	Volk
Brough	Filley	Hoey	Northrup	Waddell
Buckley	Flanagan	Hooper	Norton	Wagner
Burhyte	Foley C F	Hurd	Oliver	Wainwright
Burns	Foley J A	Huth	Phillips	Walters
Burzynski	Francis	Jackson	Prentice	Weber
Chamberlain	Ganly	Keller	Prince	Weimert
Cole	Garbe	Lee	Ralston	Wells
Collins	Geoghagan	Lewis	Robinson	West
Conklin	Glore	Loos	Schmidt	Whitney G H
Croak	Gluck	Lupton	Schoeneck	Winters
Cunningham	Goldberg	Maher	Schwegler	Yale
Cuvillier	Gray	Mance	Shuttleworth	Young
Dobbs	Gunderman	Matthews	Sinclair	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the Senate bill (No. 374) entitled "An act to amend chapter six hundred and thirty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Yonkers,' relative to members of disbanded fire, hose, engine and hook and ladder companies." (Rec. No. 244.)

On motion of Mr. Wainwright, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 104

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Smith A E
Apgar	Donnelly	Haines	Merritt	Smith Myron
Baldwin	Draper	Hamilton	Miller	Staley
Baumann	Duell	Hammond	Mills	Stern
Blue	Eagleton	Harawitz	Moreland	Stevenson
Bohan	Eichhorn	Harris	Morgan	Stratton
Brady	Farrell	Hart	Murphy C F	Todd
Brooks	Ferguson	Hastings	Murphy G W	Volk
Brough	Filley	Hoey	Northrup	Waddell
Buckley	Flanagan	Hooper	Norton	Wagner
Burhyte	Foley C F	Hurd	Oliver	Wainwright
Burns	Foley J A	Huth	Phillips	Walters
Burzynski	Francis	Jackson	Prentice	Weber
Chamberlain	Ganly	Keller	Prince	Weimert
Cole	Garbe	Lee	Ralston	Wells
Collins	Geoghagan	Lewis	Robinson	West
Conklin	Glore	Loos	Schmidt	Whitney G H
Croak	Gluck	Lupton	Schoeneck	Winters
Cunningham	Goldberg	Maher	Schwegler	Yale
Cuvillier	Gray	Mance	Shuttleworth	Young
Dobbs]	Gunderman	Matthews	Sinclair	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1462) entitled "An act to establish a retirement fund for teachers, principals and supervisors of the public schools in the city of Albany, and to regulate the collection, management and disbursement thereof." (Rec. No. 330.)

On motion of Mr. Mead, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 104

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Smith A E
Apgar	Donnelly	Haines	Merritt	Smith Myron
Baldwin	Draper	Hamilton	Miller	Staley
Baumann	Duell	Hammond	Mills	Stern

Blue	Eagleton	Harawitz	Moreland	Stevenson
Bohan	Eichhorn	Harris	Morgan	Stratton
Brady	Farrell	Hart	Murphy C F	Todd
Brooks	Ferguson	Hastings	Murphy G W	Volk
Brough	Filley	Hoey	Northrup	Waddell
Buckley	Flanagan	Hooper	Norton	Wagner
Burhyte	Foley C F	Hurd	Oliver	Wainwright
Burns	Foley J A	Huth	Phillips	Walters
Burzynski	Francis	Jackson	Prentice	Weber
Chamberlain	Ganly	Keller	Prince	Weimert
Cole	Garbe	Lee	Ralston	Wells
Collins	Geoghagan	Lewis	Robinson	West
Conklin	Glore	Loos	Schmidt	Whitney G H
Croak	Gluck	Lupton	Schoeneck	Winters
Cunningham	Goldberg	Maher	Schwegler	Yale
Cuvillier	Gray	Mance	Shuttleworth	Young
Dobbs	Gunderman	Matthews	Sinclair	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. (No. 1149, Assembly reprint No. 2549) entitled "An act to amend the Greater New York charter by providing for additional city magistrates, and for additional police clerks, assistant clerks, stenographers and interpreters for city magistrates' courts, in the second division of the city of New York." (Rec. No. 222.)

On motion of Mr. Oliver, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 104

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Smith A E
Apgar	Donnelly	Haines	Merritt	Smith Myron
Baldwin	Draper	Hamilton	Miller	Staley
Baumann	Duell	Hammond	Mills	Stern
Blue	Eagleton	Harawitz	Moreland	Stevenson
Bohan	Eichhorn	Harris	Morgan	Stratton
Brady	Farrell	Hart	Murphy C F	Todd
Brooks	Ferguson	Hastings	Murphy G W	Volk
Brough	Filley	Hoey	Northrup	Waddell

Buckley	Flanagan	Hooper	Norton	Wagner
Burbyte	Foley C F	Hurd	Oliver	Wainwright
Burns	Foley J A	Huth	Phillips	Walters
Burzynski	Francis	Jackson	Prentice	Weber
Chamberlain	Ganly	Keller	Prince	Weimert
Cole	Garbe	Lee	Ralston	Wells
Collins	Geoghagan	Lewis	Robinson	West
Conklin	Glore	Loos	Schmidt	Whitney G H
Croak	Gluck	Lupton	Schoeneck	Winters
Cunningham	Goldberg	Maher	Schwegler	Yale
Cuvillier	Gray	Mance	Shuttleworth	Young
Dobbs	Gunderman	Matthews	Sinclair	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the Senate bill (No. 501, Assembly reprint No. 2526) entitled "An act to amend an act entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals, being chapter five hundred and eighty of the Laws of nineteen hundred and two,' to authorize the formation of an appellate term in the second judicial department, to appoint clerks and attendants, and to provide for the expenses thereof" (Rec. No. 75). Said bill having been announced for a third reading,

On motion of Mr. Dowling, and by unanimous consent, said bill was made a special order on third reading for Monday next, immediately after the reading of the journal.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, May 9, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1793, Int. No. 1184), entitled "An act to amend chapter three hundred and fifty-seven of the laws of nineteen hundred and five, entitled 'An act to revise the several acts relative to the city of Tona-wanda,' generally."

CHARLES E. HUGHES.

Said bill having been announced, Mr. G. H. Whitney moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill,

and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 104

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Smith A E
Apgar	Donnelly	Haines	Merritt	Smith Myron
Baldwin	Draper	Hamilton	Miller	Staley
Baumann	Duell	Hammond	Mills	Stern
Blue	Eagleton	Harawitz	Moreland	Stevenson
Bohan	Eichhorn	Harris	Morgan	Stratton
Brady	Farrell	Hart	Murphy C F	Todd
Brooks	Ferguson	Hastings	Murphy G W	Volk
Brough	Filley	Hoey	Northrup	Waddell
Buckley	Flanagan	Hooper	Norton	Wagner
Burhyte	Foley C F	Hurd	Oliver	Wainwright
Burns	Foley J A	Huth	Phillips	Walters
Burzynski	Francis	Jackson	Prentice	Weber
Chamberlain	Ganly	Keller	Prince	Weimert
Cole	Garbe	Lee	Ralston	Wells
Collins	Geoghagan	Lewis	Robinson	West
Conklin	Glore	Loos	Schmidt	Whitney G H
Croak	Gluck	Lupton	Schoeneck	Winters
Cunningham	Goldberg	Maher	Schwegler	Yale
Cuvillier	Gray	Mance	Shuttleworth	Young
Dobbs	Gunderman	Matthews	Sinclair	

Mr. G. H. Whitney moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 2, line 18, after the word "compensation" insert in italics "payable monthly".

Page 2, line 18, after the word "board" insert a bracket.

Page 2, line 19, strike out the brackets and the word "seventy-five".

Page 2, line 20, strike out the brackets and the word "sixty", and in line 21, strike out the word "five".

Page 2, line 22, strike out the brackets and the word "sixty" and insert a bracket at the end of the line.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Dowling, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, May 9, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1867, Int. No. 1201), entitled "An act to revise and amend the charter of the city of Jamestown."

CHARLES E. HUGHES.

Said bill having been announced, Mr. Allen moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 103

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Smith A E
Apgar	Donnelly	Haines	Merritt	Smith Myron
Baldwin	Draper	Hamilton	Miller	Staley
Baumann	Duell	Hammond	Moreland	Stern
Blue	Eagleton	Harawitz	Morgan	Stevenson
Bohan	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Todd
Brooks	Ferguson	Hastings	Northrup	Volk
Brough	Filley	Hoey	Norton	Waddell
Buckley	Flanagan	Hooper	Oliver	Wagner
Burhyte	Foley C F	Hurd	Phillips	Wainwright
Burns	Foley J A	Huth	Prentice	Walters
Burzynski	Francis	Jackson	Prince	Weber
Chamberlain	Ganly	Keller	Ralston	Weimert
Cole	Garbe	Lee	Robinson	Wells
Collins	Geoghagan	Lewis	Schmidt	West
Conklin	Glore	Loos	Schoeneck	Whitney G H
Croak	Gluck	Lupton	Schwegler	Winters
Cunningham	Goldberg	Maher	Shuttleworth	Yale
Cuvillier	Gray	Mance	Sinclair	Young
Dobbs	Gunderman	Matthews		

Mr. Allen moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

On page 9, strike out beginning "the number" in line 7 down to and including "prescribe" in line 9.

On page 14, strike out all of lines 1, 2, 3, 4, 5, 6, 7 and 8 and insert "§ 28. Salaries.—1. The mayor shall receive an annual salary of five hundred dollars."

On page 15, strike out all of lines 3 to 9 inclusive.

On page 15, line 10, strike out "7" and insert "5".

On page 15, line 10, after "counsel" insert "city clerk, city treasurer, police justice, overseer of the poor, city auditor, assessors,".

On page 15, line 13, after "physician" insert ", members of the civil service commission, secretary of the civil service commission".

On page 15, line 15, strike out "8" and insert "6".

On page 19, line 11, strike out beginning "the officers" in line 11 down to and including "state" in line 13.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Dowling, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, May 9, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 2105, Int. No. 1580) entitled "An act to amend chapter three hundred of the laws of nineteen hundred and four, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls,' in relation to the establishment of an industrial commission for said city."

CHARLES E. HUGHES.

Said bill having been announced, Mr. Draper moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 103

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Smith A E
Apgar	Donnelly	Haines	Merritt	Smith Myron
Baldwin	Draper	Hamilton	Miller	Staley
Baumann	Duell	Hammond	Moreland	Stern
Blue	Eagleton	Harawitz	Morgan	Stevenson
Bohan	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Todd
Brooks	Ferguson	Hastings	Northrup	Volk
Brough	Filley	Hoey	Norton	Waddell
Buckley	Flanagan	Hooper	Oliver	Wagner
Burhyte	Foley C F	Hurd	Phillips	Wainwright
Burns	Foley J A	Huth	Prentice	Walters
Burzynski	Francis	Jackson	Prince	Weber
Chamberlain	Ganly	Keller	Ralston	Weimert
Cole	Garbe	Lee	Robinson	Wells
Collins	Geoghagan	Lewis	Schmidt	West
Conklin	Glore	Loos	Schoeneck	Whitney G H
Croak	Gluck	Lupton	Schwegler	Winters
Cunningham	Goldberg	Maher	Shuttleworth	Yale
Cuvillier	Gray	Mance	Sinclair	Young
Dobbs	Gunderman	Matthews		

Mr. Draper moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 3, line 21, after the word "be" insert the words "fixed by", and strike out "two thousand dollars".

Page 3, line 22, strike out the words "per annum and such additional amount as".

Page 3, line 23, strike out the words "shall deem advisable but not to exceed an".

Page 3, line 24, strike out the words "annual salary of three thousand dollars in the aggregate".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Dowling, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, May 9, 1907.

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 894, Rec. No. 220) entitled 'An act to amend the insurance

law, in relation to certificates of authority of agents, and the filing of such certificates," for the purpose of amendment.

By order of the Senate,

LAFAYETTE B. GLEASON,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill. (No. 2568, Int. No. 1803) entitled "An act to amend chapter three hundred and sixty of the Laws of eighteen hundred and ninety-seven, entitled 'An act to incorporate the city of Geneva,' in relation to bonds and taxation for extraordinary expenditures," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Geneva.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 1127, Int. No. 11), entitled "An act to amend the Greater New York charter, in relation to pensions to dependent parents of members of the police force," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Moreland, the House adjourned.

MONDAY, MAY 13, 1907.

The House met pursuant to adjournment.

Prayer by Rev. Thomas D. Anderson.

On motion of Mr. Moreland, the reading of the journal of Friday, May 10, 1907, was dispensed with, and the same was approved.

Mr. Speaker presented the annual report of the Society of the New York Hospital, which was laid upon the table.

Mr. Lansing gives notice that he requests that the Senate bill (No. 1376, Rec. No. 327) entitled "An act to amend chapter one hundred and forty-six of the Laws of eighteen hundred and fifty-six, entitled 'An act authorizing the construction of a bridge across the Hudson river at Albany,' and chapter seven hundred and seventy-nine of the Laws of eighteen hundred and sixty-nine, entitled 'An act to amend the charter of the Hudson River Bridge Company,' in relation to tolls charged and collected for the use of such bridges," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee of rules for the purpose of making said bill a special order on second and third reading.

Mr. Dowling gives notice that he requests that Assembly bill (No. 1177, Int. No. 1018) entitled "An act to release to Mary H. Travis, John Bramhall Roebuck, George Roebuck, Herbert Roebuck, Ernest Roebuck, Alfred Roebuck, Walter Roebuck and Arthur Roebuck, all the right, title and interest of the people of the State of New York in and to certain lots of land of Joseph H. Van Mater, junior, deceased, situate in the borough of Queens, city of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Lupton gives notice that he requests that the Senate bill (No. 1291, Rec. No. 283) entitled "An act in relation to the tide gates in the Shinnecock canal in the town of Southampton, Suffolk county, and the jurisdiction of the town board over such gates," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Gunderman gives notice that he requests that the Senate bill (No. 1290, Rec. No. 336) entitled "An act to provide a fund for bridges and other permanent street improvements in the city of Ithaca," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the com-

mittee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Mills gives notice that he requests that Senate bill (No. 1009, Rec. No. 313) entitled "An act to amend the Forest, Fish and Game Law, relative to the close season for woodcock," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Francis gives notice that he requests that the Senate bill (No. 794, Int. No. 307) entitled "An act to amend the University Law, relative to libraries," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Mills gives notice that he requests that Senate bill (No. 1008, Rec. No. 314) entitled "An act to amend the Forest, Fish and Game Law, relative to the close season for grouse," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

By unanimous consent, Mr. Harper introduced a bill entitled "An act to provide for the repair of the bridge known as the 'Montezuma Turnpike Bridge,' over the Seneca river, in the county of Seneca" (Int. No. 1876), which was read the first time and referred to the committee on ways and means.

By unanimous consent, Mr. Moreland introduced a bill entitled "An act conferring jurisdiction upon the Court of Claims to rehear and determine the claim of Michael C. Murphy against the State, and to make an award therefor" (Int. No. 1877), which was read the first time and referred to the committee on claims.

By unanimous consent, Mr. Dowling introduced a bill entitled "An act to empower the board of assessors of the city of New York to fix, determine and allow the amount of damages sustained to certain real property in said city in consequence of the change of grade of Meserole avenue between Diamond and Newell streets, borough of Brooklyn, city of New York" (Int. No.

1878), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Hackett introduced a bill entitled "An act for the better protection of passengers on any public conveyance, operated or between the corporate limits of any city or town in this State" (Int. No. 1879), which was read the first time and referred to the committee on railroads.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Dowling (No. 1177, Int. No. 1018), entitled "An act to release to Mary H. Travis, John Bramhall Roebuck, George Roebuck, Herbert Roebuck, Ernest Roebuck, Alfred Roebuck, Walter Roebuck and Arthur Roebuck, all the right, title and interest of the people of the State of New York in and to certain lots of land of Joseph H. Van Mater, junior, deceased, situate in the borough of Queens, in the city of New York," reported the same with the following amendments:

Page 2, line 14 change the period to a comma and after said comma insert the following: "subject however to all taxes, assessments and water rents due the city of New York now a lien on said real estate hereinbefore described".

and requests that said bill be reprinted, as amended, and recommitted to said committee, which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill introduced by Mr. Boyce (No. 1376, Int. No. 327), entitled "An act to amend chapter one hundred and forty-six of the Laws of eighteen hundred and fifty-six, entitled 'An act authorizing the construction of a bridge across the Hudson river at Albany,' and chapter seven hundred and seventy-nine of the Laws of eighteen hundred and sixty-nine, entitled 'An act to amend the charter of the Hudson River Bridge Company,' in relation to tolls charged and collected for the use of such bridges," reported the same with the following amendments:

Page 2, line 23, strike out the bracket.

Page 3, line 2, strike out the bracket.

and request that said bill be reprinted, as amended, and recommitted to said committee, which report was agreed to, and said

bill ordered reprinted, as amended, and recommitted to said committee.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Cobb (No. 1009, Rec. No. 313), entitled "An act to amend the Forest, Fish and Game Law, relative to the close season for woodcock."

Also, Senate bill introduced by Mr. Page (No. 794, Rec. No. 307), entitled "An act to amend the University Law, relative to libraries."

Also, Senate bill introduced by Mr. Cobb (No. 1008, Rec. No. 314), entitled "An act to amend the Forest, Fish and Game Law, relative to the close season for grouse."

Also, Senate bill introduced by Mr. Burr (No. 1291, Rec. No. 283), entitled "An act in relation to the tide gates in the Shinnecock canal in the town of Southampton, Suffolk county, and the jurisdiction of the town board over such gates."

Also, Senate bill introduced by Mr. Cassidy (No. 1290, Rec. No. 326), entitled "An act to provide a fund for bridges and other permanent street improvements in the city of Ithaca," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. West, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Penal Code, in relation to the punishment for the crime of burglary." (No. 2660, Int. No. 1638.)

"An act to amend chapter five hundred and eighty-eight of the Laws of eighteen hundred and ninety-eight, entitled "An act to erect the county of Nassau from the territory now comprised within the limits of the town of Oyster Bay, North Hempstead and Hempstead, in the county of Queens," relative to the salary of the county superintendent of the poor." (No. 2645, Int. No. 1843.)

"An act to authorize the city of Mount Vernon to issue bonds

for the purpose of defraying a deficiency in the police fund for the fiscal year beginning May first, nineteen hundred and seven." (No. 2531, Int. No. 1784.)

"An act to amend chapter thirty-seven of the Laws of nineteen hundred and one, as amended by chapter three hundred and fifty-one of the Laws of nineteen hundred and three, entitled 'An act authorizing appropriations by the board of supervisors of Rockland county for the support and maintenance of the inmates of the Nyack hospital.'" (No. 2659, Int. No. 1821.)

"An act to amend the Tax Law, in relation to refund of tax paid upon illegal, erroneous or unequal assessments." (No. 1626, Int. No. 1314.)

"An act to amend the Code of Civil Procedure, in relation to Richmond county." (No. 2605, Int. No. 1823.)

"An act to amend the Highway Law, relating to the cutting and removal of noxious weeds and brush and providing for the same when the highway is in the boundary lines between two or more towns." (No. 2649, Int. No. 1849.)

"An act to authorize the grant by the city of Yonkers to the New York Central and Hudson River Railroad Company for railroad purposes of a portion of the lands granted to the city of Yonkers by chapter five hundred and sixty-two of the Laws of eighteen hundred and ninety-nine." (No. 2643, Int. No. 1598.)

"An act to amend chapter three hundred and thirty-four of the Laws of nineteen hundred and one, entitled 'An act in relation to tenement houses in cities of the first class,' relative to bakeries." (No. 2242, Int. No. 1652.)

"An act to amend the Penal Code, in relation to the privileges of witnesses in investigations and proceedings relating to rebates and allowances by life insurance corporations." (No. 2589, Int. No. 1641.)

"An act to amend the Insurance Law, in relation to the insurance of pianos." (No. 2648, Int. No. 1848.)

"An act to amend the Business Corporations Law, relative to the incorporation of educational institutions." (No. 2601, Int. No. 1819.)

"An act to amend section two hundred and twenty-one of the Code of Civil Procedure, relative to the salaries of certain clerks

and deputy clerks of the Appellate Divisions of the third and fourth departments." (No. 2588, Rec. No. 204.)

"An act to amend the Tax Law, in relation to the assessment of State lands for school purposes." (No. 2665, Int. No. 1853.)

"An act to amend the Military Code, relative to the composition and strength of the National Guard." (No. 1607, Int. No. 1296.)

"An act to provide for holding a convention within the State of New York of delegates to be appointed by the Governors of the several States, for the purpose of devising and recommending to the Legislatures thereof uniform laws, and making an appropriation therefor." (No. 837, Int. No. 772.)

"An act to amend the Code of Civil Procedure, in relation to the conveyance of real estate by executors and administrators, in certain cases." (No. 2527, Int. No. 538.)

"An act to amend the Agricultural Law, in relation to the employment of persons having or who have been exposed to any contagious or infectious disease in any dairy or creamery or on any farm where milk is produced for sale or manufacture into any article of food." (No. 2663, Int. No. 1851.)

"An act to amend chapter twenty-six of the Laws of eighteen hundred and eighty-five, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,' relative to city and ward boundaries." (No. 2642, Int. No. 1802.)

"An act to provide for refunding certain taxes erroneously paid into the treasury of the State by certain foreign life insurance companies domiciled in the State of Connecticut." (No. 2423, Int. No. 1729.)

"An act to repeal sections sixty-two, sixty-three and sixty-four of the Transportation Corporations Law." (No. 1784, Int. No. 1404.)

"An act to amend the Primary Election Law, in relation to certified copies of certain enrollment records." (No. 2624, Int. No. 1832.)

"An act to amend chapter four hundred and sixty-nine of the Laws of nineteen hundred and six, entitled 'An act to provide for issuing of bonds of the State for the improvement of high-

ways, and making appropriation therefor,' generally." (No. 2675, Int. No. 1839.)

"An act to amend chapter two hundred and three of the Laws of nineteen hundred and seven, entitled 'An act to revise and amend the charter of the city of Newburgh, being chapter five-hundred and forty-one of the Laws of eighteen hundred and sixty-five, and the several acts amendatory thereof and supplemental thereto,' generally." (No. 2611, Int. No. 1824.)

"An act to amend the Greater New York charter, in relation to the powers of the board of estimate and apportionment." (No. 2644, Rec. No. 316.)

"An act to amend the Greater New York charter, and the Municipal Court of the city of New York, by providing for a reorganization of the Municipal Court of the city of New York, and for changes in the constitution and in the powers of said court and in the practice therein; and assistant clerks, and to regulate the salaries of the justices thereof." (No. 2639, Int. No. 1054.)

Mr. Speaker announced the special order, being the bill (No. 2678) entitled "An act to amend chapter five hundred and fifty-three of the Laws of eighteen hundred and ninety-five, entitled 'An act in relation to the Supreme Court in the first judicial district and the Appellate Division thereof in the first department,' in relation to salary of clerks to justices." (Int. No. 596.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen
Averill
Baldwin
Blue]

Dowling
Draper
Dudley
Duell

Hamilton
Hammond
Hamn
Harawitz

Mead
Merritt
Miller
Mills

Sinclair
Smith A E
Smith C
Smith Myron

Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the bill (No. 2671) entitled "An act to amend the Penal Code, in relation to the punishment of children under sixteen years of age." (Int. No. 890.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamm	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson

Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrad	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the Senate bill (No. 501, Assembly reprint No. 2526) entitled "An act to amend an act entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals, being chapter five hundred and eighty of the Laws of nineteen hundred and two,' to authorize the formation of an appellate term in the second judicial department, to appoint clerks and attendants, and to provide for the expenses thereof." (Rec. No. 75.)

Said bill having been announced for third reading,

Mr. Dowling moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

In first line of title, strike out "An act" and insert in place thereof "chapter five hundred and eighty of the laws of nineteen hundred and two,".

In the second line of title, after the word "Marshals" insert quotations.

Strike out third line of title; in fourth line of title, strike out "hundred and two to authorize" and insert in place thereof "relative to".

In fifth line of title, strike out "to appoint" and insert in place thereof "appointing".

On page 1, line 2, after "two" insert "entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals'".

On page 1, line 7, after "orders" insert "as".

On page 2, line 21, after first "order" strike out ",,".

On page 2, line 22, after first "order" strike out ",,".

On page 2, line 23, after "trial" insert ",,".

Mr. Speaker put the question whether the House would agree to said motion, and it was decided in the affirmative.

Mr. Dowling, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and restored to special order third reading.

Mr. Speaker announced the special order, being the Senate bill (No. 1291) entitled "An act in relation to the tide gates in the Shinnecock canal in the town of Southampton, Suffolk county, and the jurisdiction of the town board over such gates." (Rec. No. 283.)

On motion of Mr. Hubbs, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A B
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner

Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colne	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1290) entitled "An act to provide a fund for bridges and other permanent street improvements in the city of Ithaca." (Rec. No. 336.)

On motion of Mr. Gunderman, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hammond	Merritt	Sinclair
Averill	Dudley	Hamn	Miller	Smith A E
Baldwin	Duell	Harawitz	Mills	Smith C
Blue	Eagleton	Harper	Mooney	Smith Myron
Bohan	Eggleston	Harris	Morgan	Staley
Boshart	Eichhorn	Hart	Murphy C F	Stern
Brady	Ferguson	Hastings	Murphy G W	Stevenson
Brooks	Feth	Hoey	Nevins	Stratton
Brough	Filley	Holmes	Newton	Surpluss
Brown	Flanagan	Hooper	Northrup	Todd
Buckley	Foley C F	Hubbs	Norton	Volk
Burns	Foley J A	Hurd	O'Brien	Voss
Burzynski	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Keller	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Walters

Cole	Ganly	Lee	Phillips	Waters
Colné	Garbe	Lewis	Prince	Weber
Conklin	Geoghagan	Loos	Ralston	Weimert
Conrady	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	West
Cunningham	Glynn	Maher	Rogers	Whitley
Cuvillier	Goldberg	Mallon	Schmidt	Whitney F G
De Groot	Gray	Mance	Schoeneck	Whitney G H
Dobbs	Green	Marlatt	Schulz	Wood
Dominy	Gunderman	Matthews	Sheridan	Yale
Donnelly	Hackett	McCue	Shuttleworth	Young
Dowling	Hamilton	Mead		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 794) entitled "An act to amend the University Law, relative to libraries." (Rec. No. 307.)

On motion of Mr. Prentice, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surplless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brien	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert

Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1008) entitled "An act to amend the Forest, Fish and Game Law, relative to the close season for grouse." (Rec. No. 314.)

On motion of Mr. Wood, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 1

Those who voted in the affirmative were:

Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Surplless
Buckley	Flanagan	Hooper	Northrup	Todd
Burhyte	Foley C F	Hubbs	Norton	Volk
Burns	Foley J A	Hurd	O'Brian	Voss
Burzynski	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Keller	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Walters
Cole	Ganly	Lee	Phillips	Waters
Colné	Garbe	Lewis	Prince	Weber
Conklin	Geoghagan	Loos	Ralston	Weimert
Conrady	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	West
Cunningham	Glynn	Maher	Rogers	Whitley

Cuvillier	Goldberg	Mallon	Schmidt	Whitney F G
De Groot	Gray	Mance	Schoeneck	Whitney G H
Dobbs	Green	Marlatt	Schulz	Wood
Dominy	Gunderman	Matthews	Sheridan	Yale
Donnelly	Hackett	McCue	Shuttleworth	Young
Dowling	Hamilton	Mead		

In the negative:

Allen

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1009) entitled "An act to amend the Forest, Fish and Game Law, relative to the close season for woodcock." (Rec. No. 313.)

On motion of Mr. Wood, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 1

Those who voted in the affirmative were:

Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamm	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Fillee	Holmes	Newton	Surples
Buckley	Flanagan	Hooper	Northrup	Todd
Burhyte	Foley C F	Hubbs	Norton	Volk
Burns	Foley J A	Hurd	O'Brian	Voss
Burzynski	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Keller	Parker	Wagner
Chamberlain	Frisbie	Lansing	Tatton	Walters
Cole	Ganly	Lee	Phillips	Waters
Colné	Garbe	Lewis	Prince	Weber
Conklin	Geoghagan	Loos	Ralston	Weimert
Conrady	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	West

Cunningham	Glynn	Maher	Rogers	Whitley
Cuvillier	Goldberg	Mallon	Schmidt	Whitney F G
De Groot	Gray	Mance	Schoeneck	Whitney G H
Dobbs	Green	Marlatt	Schulz	Wood
Dominy	Gunderman	Matthews	Sheridan	Yale
Donnelly	Hackett	McCue	Shuttleworth	Young
Dowling	Hamilton	Mead		

In the negative:

Allen

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

A message from the Governor by the hand of his Secretary was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, May 13, 1907.

To the Assembly:

I herewith return without my approval bill No. 772, entitled "An act to amend chapter four hundred and ten of the laws of eighteen hundred and eighty-two, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in relation to the salaries of the record clerks and court attendants of the court of general sessions of the peace in and for the county of New York."

The bill proposes to increase the salaries of the record clerks and court attendants of the court of general sessions in New York county. This is a matter which should be dealt with by the local authorities.

CHARLES E. HUGHES.

On motion of Mr. Young, said message, together with said bill, was ordered laid upon the table.

A communication was received from Hon. Edward F. Brush, mayor of the city of Mount Vernon, returning Assembly bill (No. 2118, Int. No. 1412) entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' relative to the appointment of a deputy commissioner of public works and the submission of a proposition therefor," with a message that said mayor and the common council of said

city, after a public hearing thereon, do not approve said bill and do not accept the same.

Mr. Speaker stated the question to be, "Shall this bill pass notwithstanding the objections of the mayor and the common council, the legislative body of the city of Mount Vernon, thereto?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Mead	Sinclair
Baldwin	Dudley	Hamn	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Smith Myron
Boshart	Eggleston	Harris	Mooney	Staley
Brady	Eichhorn	Hart	Morgan	Stern
Brooks	Ferguson	Hastings	Murphy C F	Stevenson
Brough	Feth	Hoey	Murphy G W	Stratton
Brown	Filley	Holmes	Nevins	Surpless
Buckley	Flanagan	Hooper	Newton	Todd
Burhyte	Foley C F	Hubbs	Northrup	Volk
Burns	Foley J A	Hurd	Norton	Voss
Burzynski	Fowler	Jackson	O'Brian	Waddell
Cavanaugh	Francis	Keller	Oliver	Wagner
Chamberlain	Frisbie	Lansing	Parker	Waters
Cole	Ganly	Lee	Patton	Weber
Colne	Garbe	Lewis	Phillips	Weimert
Conklin	Glore	Loos	Prince	Wells
Conrady	Gluck	Lowe	Ralston	West
Croak	Glynn	Lupton	Reece	Whitley
Cunningham	Goldberg	Maher	Robinson	Whitney F G
Cuvillier	Gray	Mallon	Schmidt	Whitney G H
De Groot	Green	Mance	Schoeneck	Wood
Dobbs	Gunderman	Marlatt	Schulz	Yale
Dominy	Hackett	Matthews	Sheridan	Young
Donnelly				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Stanton offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 89, Int. No. 89) entitled "An act authorizing

the police commissioner of the city of New York to appoint John W. Pinkley, an ex-policeman of the city of New York, who resigned from said police department, November twenty-fourth, eighteen hundred and ninety-seven," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. C. F. Foley offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1747, Int. No. 1376) entitled "An act to amend chapter one hundred and twenty of the laws of eighteen hundred and eighty-six, entitled 'An act to revise the charter of the city of Lockport,' generally," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Moreland offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 836, Senate reprint No. 1335, Int. No. 771) entitled "An act making appropriations for the State charitable institutions, the New York State School for the Blind, the Elnira Reformatory, and the Eastern New York Reformatory," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Baldwin offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1459, Int. No. 837) entitled "An act to pro-

vide for a department of public instruction in the city of Syracuse," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *May 13, 1907.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 730, Rec. No. 216) entitled "An act to amend the Greater New York charter, relative to the salary of the commissioner of docks and the deputy commissioner of docks," for the purpose of amendment.

By order of the Senate,

LAFAYETTE B. GLEASON,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *May 13, 1907.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 285, Assembly reprint No. 2222, Rec. No. 19) entitled "An act to amend chapter one hundred and eighty-five of the laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Auburn,'" for the purpose of amendment.

By order of the Senate,

LAFAYETTE B. GLEASON,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *May 13, 1907.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 913, Rec. No. 177) entitled "An act to amend chapter five hundred and seventy-two of the laws of nineteen hundred and two, entitled 'An act to revise and amend an act to incorporate the city of Middletown and the acts amendatory thereof,' generally," for the purpose of amendment.

By order of the Senate,

LAFAYETTE B. GLEASON,

Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *May 13, 1907.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 592, Rec. No. 239) entitled "An act to amend section three hundred and eighty-four-h of the Penal Code, relative to hours of labor to be required of employees of a corporation operating a line of railroad thirty miles in length, or over," for the purpose of amendment.

By order of the Senate,

LAFAYETTE B. GLEASON,

Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1459, Int. No. 837) entitled "An act to provide for a department of public instruction in the city of Syracuse," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 836, Senate reprint No. 1335, Int. No. 771) entitled "An act making appropriations for the State charitable institutions, the New York State School for the Blind, the Elmira Reformatory, and the Eastern New York Reformatory," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 89, Int. No. 89) entitled "An act authorizing the police commissioner of the city of New York to appoint John W. Pinkley, an ex-policeman of the city of New York, who resigned from said police department November twenty-fourth, eighteen hundred and ninety-seven," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1747, Int. No. 1376) entitled "An act to amend chapter one hundred and twenty of the Laws of eighteen hundred and eighty-six, entitled 'An act to revise the charter of the city of Lockport,' generally," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

On motion of Mr. Moreland, the House adjourned.

TUESDAY, MAY 14, 1907.

The House met pursuant to adjournment.

Prayer by Rev. H. Douglas Spaeth.

On motion of Mr. Moreland, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. Prentice gives notice that he requests that Assembly bill (No. 2673, Int. No. 175) entitled "An act to amend the Penal Code by adding a section to be known as section one hundred and eleven-a, making it a misdemeanor to disobey a subpoena in a criminal action or proceeding," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Ferguson gives notice that he requests that Assembly bill (No. 2670, Int. No. 1854) entitled "An act to amend chapter two hundred and sixty-six of the Laws of nineteen hundred and three, entitled 'An act to provide for the holding of town meetings and elections in counties of the State having a certain population,' in relation to the time when town officers shall take office, compensation of certain committees and supervisors of such counties," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Lupton gives notice that he requests that Assembly bill (No. 2689, Int. No. 1505) entitled "An act to provide for the opening and maintenance of inlets from the ocean into Shinnecock bay and into Mecox bay in the town of Southampton, in the county of Suffolk, and repealing chapter six hundred and twenty-eight of the Laws of eighteen hundred and eighty-seven, chapter two hundred and fifty-seven of the Laws of eighteen hundred and ninety-two and a part of chapter twenty-nine of the Laws of eighteen hundred and seventy-three," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. C. F. Murphy gives notice that he requests that Assembly bill (No. 2674, Int. No. 1294) entitled "An act to amend 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same, and to provide for local option, constituting chapter twenty-nine of the general laws,'" a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. C. F. Foley gives notice that he requests that the Senate bill (No. 1497, Rec. No. 338) entitled "An act to revise the charter of the city of North Tonawanda," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Raines gives notice that he requests that Senate bill (No. 1321, Int. No. 386) entitled "An act to legalize and confirm the certificate of incorporation and the incorporation of the Corning, Keuka and Ontario Railway Company and the proceedings taken and had under or in pursuance of said certificate," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Newton gives notice that he requests that the Senate bill (No. 994, Rec. No. 192) entitled "An act to amend the charter of the city of Cortland, in relation to conferring on the common council of such city certain additional powers," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Hamn gives notice that he requests that Senate bill (No. 1562, Int. No. 385) entitled "An act in relation to the construction of certain railroads where the property and franchises of the corporation organized to construct the same have been sold under foreclosure proceedings," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Whitley gives notice that he requests that the Senate bill (No. 1545, Rec. No. 361) entitled "An act constituting the charter of the city of Rochester," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Wood gives notice that he requests that the Senate bill (No. 1170, Rec. No. 301) entitled "An act to amend section twelve of the Forest, Fish and Game Law, as amended by section two of chapter five hundred and eighty of the Laws of nineteen hundred and four," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Newton gives notice that he requests that the Senate bill (No. 1304, Rec. No. 319) entitled "An act to establish and maintain a water department in and for the city of Cortland," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Moreland gives notice that he requests that Assembly bill (No. 2322, Int. No. 1678) entitled "An act to amend the Executive Law, relative to the appointment of experts and providing for their compensation," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Moreland gives notice that he requests that Senate bill (No. 1201, Assembly reprint No. 2637, Rec. No. 260) entitled "An act to amend the State Finance Law, in relation to the duties of State officers concerning receipts and expenditures," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

The Senate sent for concurrence the following entitled bills:

"An act to authorize the city of New York and the village of Mount Kisco, Westchester county, New York, to enter into a contract or agreement to provide for the disposal of the sewage of said village and to allow the city of New York to acquire such lands, as may be necessary in and about said village and to raise funds to carry said contract or agreement into effect" (No. 1579, Rec. No. 393), which was read the first time and referred to the committee on affairs of villages.

"An act to amend the Penal Code, relative to appointment of special officers" (No. 1172, Rec. No. 394), which was read the first time and referred to the committee on codes.

By unanimous consent, Mr. Stern introduced a bill entitled "An act to legalize the acts of Jacob J. Lazaros, a commissioner of deeds" (Int. No. 1880), which was read the first time and referred to the committee on the judiciary.

By unanimous consent, Mr. Brough introduced a bill entitled "An act to authorize any Protestant Episcopal church in the diocese of New York to convey all its property, subject to the payment of its debts, to any other Protestant Episcopal church in said diocese" (Int. No. 1881), which was read the first time and referred to the committee on charitable and religious societies.

Also, by unanimous consent, "An act to authorize the Church of the Intercession to dispose of its property and become dissolved" (Int. No. 1882), which was read the first time and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Hubbs introduced a bill entitled "An act to amend chapter five hundred and forty-nine of the Laws of eighteen hundred and seventy-four, entitled 'An act to provide for the planting and protection of oysters in those portions of the Great South Bay lying in the town of Islip, Suffolk county, wherein the taking of clams cannot be profitably followed as a business,' in relation to allotments of portions of such bay". (Int. No. 1883), which was read the first time and referred to the committee on fisheries and game.

By unanimous consent, Mr. Wood introduced a bill entitled "An act to amend chapter seven hundred and sixty of the

Laws of eighteen hundred and ninety-seven, entitled 'An act to revise the charter of the city of Watertown' (Int. No. 1884), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Schoeneck introduced a bill entitled "An act to legalize bonds of the village of East Syracuse, to be issued for the purpose of enabling the village of East Syracuse to borrow the sum of ten thousand dollars for the purpose of completing the sewer system of the village of East Syracuse, and the purchase of necessary machinery for the operation and maintenance of the sewer system of the village, and to sell twenty bonds, of the village, of the denomination of five hundred dollars each, aggregating the sum of ten thousand dollars, as provided by the Village Law, and the Municipal Corporation Law, and to legalize all steps, proceedings and resolutions of the board of trustees of the village of East Syracuse, in relation to the sale and issue of said bonds, including the proposition submitted to the qualified electors of the village, at a general election thereof, held therein on the nineteenth day of March, nineteen hundred and seven, and all proceedings of said board of trustees in relation, and subsequent thereto, including the advertisement, and sale of the bonds authorized by said proposition, on the twentieth day of April, nineteen hundred and seven, and to provide for the payment of the principal and interest of said bonds" (Int. No. 1885), which was read the first time and referred to the committee on affairs of villages.

By unanimous consent, Mr. Francis introduced a bill entitled "An act to amend the Election Law in regard to changes in the lines of election districts" (Int. No. 1886), which was read the first time and referred to the committee on the judiciary.

By unanimous consent, Mr. Burhyte introduced a bill entitled "An act to amend chapter two hundred and twenty-five of the Laws of nineteen hundred and one, 'An act to incorporate the city of Oneida,' in relation to bonds for local improvements" (Int. No. 1887), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Hamn introduced a bill entitled "An act to amend chapter four hundred and fourteen, entitled

the Village Law, constituting chapter twenty-one of the general laws" (Int. No. 1888), which was read the first time and referred to the committee on affairs of villages.

By unanimous consent, Mr. Schmidt introduced a bill entitled "An act to authorize and empower the commissioners of the sinking fund of the city of New York to refund to the Saint Paul's German Evangelical Reformed Church or the trustees thereof, moneys paid as assessment for public improvements upon certain real property belonging to said church in the borough of the Bronx, New York city" (Int. No. 1889), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Dobbs introduced a bill entitled "An act to amend the Greater New York charter, in relation to qualifications of firemen" (Int. No. 1890), which was read the first time and referred to the committee on affairs of cities.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Ferguson (No. 2670, Int. No. 1854), entitled "An act to amend chapter two hundred and sixty-six of the Laws of nineteen hundred and three, entitled 'An act to provide for the holding of town meetings and elections in counties of the State having a certain population,' in relation to the time when town officers shall take office, compensation of certain committees and supervisors of such counties."

Also, Assembly bill introduced by Mr. Prentice (No. 2673, Int. No. 175), entitled "An act to amend the Penal Code by adding a section to be known as section one hundred and eleven-a, making it a misdemeanor to disobey a subpoena in a criminal action or proceeding," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Lupton (No. 2689, Int. No. 1505), entitled "An act to provide for the opening and maintenance of inlets from the ocean into Shinnecock bay and into

Mecox bay, in the town of Southampton in the county of Suffolk, and repealing chapter six hundred and twenty-eight of the Laws of eighteen hundred and eighty-seven, chapter two hundred and fifty-seven of the Laws of eighteen hundred and ninety-two and a part of chapter twenty-nine of the Laws of eighteen hundred and seventy-three."

Also, Assembly bill introduced by Mr. C. F. Murphy (No. 2674, Int. No. 1294), entitled "An act to amend 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same, and to provide for local option, constituting chapter twenty-nine of the general laws,'" reported in favor of the passage of the same without amendment, and that the same be made a special order on third reading immediately, which report was agreed to, and said bills ordered made special orders on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Franchot (No. 1497, Rec. No. 338), entitled "An act to revise the charter of the city of North Tonawanda."

Also, Senate bill introduced by Mr. Raines (No. 1321, Rec. No. 386), entitled "An act to legalize and confirm the certificate of incorporation and the incorporation of the Corning, Keuka Lake and Ontario Railway Company and the proceedings taken and had under or in pursuance of said certificate."

Also, Senate bill introduced by Mr. Raines (No. 1562, Rec. No. 385), entitled "An act in relation to the construction of certain railroads where the property and franchises of the corporation organized to construct the same have been sold under foreclosure proceedings."

Also, Senate bill introduced by Mr. Hinman (No. 994, Rec. No. 192), entitled "An act to amend the charter of the city of Cortland, in relation to conferring on the common council of such city certain additional powers."

Also, Senate bill introduced by Mr. Dunn (No. 1545, Rec. No. 361), entitled "An act constituting the charter of the city of Rochester."

Also, Senate bill introduced by Mr. Hinman (No. 1304, Rec. No. 319), entitled "An act to establish and maintain a water department in and for the city of Cortland."

Also, Senate bill introduced by Mr. Cobb (No. 1170, Rec. No. 301), entitled "An act to amend section twelve of the Forest, Fish and Game Law, as amended by section two of chapter five hundred and eighty of the Laws of nineteen hundred and four," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Moreland (No. 2322, Int. No. 1678), entitled "An act to amend the Executive Law, relative to the appointment of experts and providing for their compensation," retaining its place on the order of third reading, reported in favor of the passage of the same, with the following amendments:

Amend the title by striking out all after the word "the" and insert in place thereof "examination of departments of the State".

Strike out all of section seven and insert the following:

"§ 7. Examinations and inspections by the Governor.—The Governor is authorized at any time, either in person or by one or more persons appointed by him for the purpose, to examine and investigate the management and affairs of any department, board, bureau or commission of the State. The Governor and the persons so appointed by him are empowered to subpoena and enforce the attendance of witnesses, to administer oaths and examine witnesses under oath and to require the production of any books or papers deemed relevant or material. Whenever any person so appointed shall not be regularly in the service of the State, his compensation for such services shall be fixed by the Governor, and said compensation and all necessary expenses of such examinations and investigations shall be paid by the Treasurer out of any appropriations made for the purpose upon the order of the Governor and the warrant of the Comptroller."

and that the same be reprinted, as amended, and re-engrossed, and that when it shall have been on the desks of the members three calendar days it be made a special order on third reading immediately.

Which report was agreed to, and said bill ordered reprinted, as amended, and re-engrossed, and when it shall have been on the desks of the members three calendar legislative days it be made a special order on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill introduced by Mr. Armstrong (No. 1201, Assembly reprint No. 2637, Rec. No. 260), entitled "An act to amend the State Finance Law, in relation to the duties of State officers concerning receipts and expenditures," reported the same with the following amendments:

Page 2, line 15, after the word "prisons" insert a period ".".

Page 2, line 15, beginning with the word "nor" strike out all down to and including the word "fair" on line 18.

and requests that said bill be reprinted, as amended, and recommitted to said committee, which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. Moreland moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded.

Allen	Dominy	Hackett	Mead	Sinclair
Apgar	Donnelly	Hammond	Merritt	Smith A E
Averill	Draper	Hamn	Mills	Smith C
Baldwin	Dudley	Harper	Moreland	Staley
Baumann	Duell	Harris	Murphy C F	Stanton
Blue	Eagleton	Hart	Murphy G W	Stern
Bohan	Eggleston	Hastings	Nevins	Stevenson
Brady	Eichhorn	Hoey	Newton	Stratton
Brooks	Farrell	Holmes	Northrup	Volk
Brough	Fay	Hooper	O'Brian	Voss
Brown	Ferguson	Hubbs	Oliver	Wagner
Buckley	Feth	Hurd	Patton	Wainwright
Burhyte	Filley	Huth	Phillips	Waters
Burns	Flanagan	Jackson	Prentice	Weber
Burzynski	Foley C F	Keller	Prince	Weimert
Cavanaugh	Foley J A	Lansing	Ralston	Wells
Cole	Fowler	Lee	Reece	West
Collins	Francis	Lewis	Robinson	Whitley
Colné	Ganly	Loos	Rogers	Whitney F C
Conklin	Garbe	Lowe	Schmidt	Whitney G H
Conrady	Geoghagan	Lupton	Schoeneck	Winters
Croak	Glynn	Maher	Schwegler	Wood
Cuvillier	Goldberg	Mallon	Sheridan	Yale
De Groot	Green	Marlatt	Shuttleworth	Young
Dobbs	Gunderman	Matthews		

Mr. Moreland moved that the call of the House be made a close call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the bill (No. 2672) entitled "An act to amend the Agricultural Law, in relation to the sale and transportation of adulterated and misbranded foods and regulating traffic therein." (Int. No. 1540.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Apgar	Duell	Hamn	Miller	Sinclair
Averill	Eagleton	Harper	Mills	Smith A E
Baldwin	Eggleston	Harris	Mooney	Smith C
Baumann	Eichhorn	Hart	Moreland	Smith Myron
Blue	Farrell	Hastings	Morgan	Stern
Brady	Ferguson	Hoey	Murphy G W	Stevenson
Brooks	Feth	Holmes	Nevins	Stratton
Brough	Filley	Hooper	Newton	Surpless .
Brown	Foley C F	Hubbs	Northrup	Todd
Buckley	Foley J A	Hurd	Norton	Volk
Burhyte	Fowler	Huth	O'Brian	Voss
Burns	Francis	Jackson	Oliver	Waddell
Cavanaugh	Frisbie	Jacobs	Parker	Wagner
Chamberlain	Ganly	Lansing	Patton	Wainwright
Cole	Garbe	Lee	Phillips	Waters
Collins	Geoghagan	Lewis	Prentice	Weber
Colné	Glore	Loos	Ralston	Weimert
Conklin	Glynn	Lowe	Reece	Wells
Conrady	Goldberg	Lupton	Robinson	West
Croak	Gray	Maher	Rogers	Whitley
Cuvillier	Green	Mallon	Schmidt	Whitney F G
De Groot	Gunderman	Mance	Schoeneck	Whitney G H
Domny	Hackett	Marlatt	Schulz	Winters
Donnelly	Haines	Matthews	Schwegler	Wood
Dowling	Hamilton	Mead	Sheridan	Yale
Draper	Hammond	Merritt	Shuttleworth	Young
Dudley				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2679) entitled "An act to amend chapter one hundred and ninety-four of the Laws of eighteen hundred and ninety-seven, entitled 'An act creating a commissioner of jurors for each county of fifty thousand and less than one hundred and ninety thousand, and regulating and prescribing his duties,' relative to clerk hire and drawing of jurors." (Int. No. 745.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 2

Those who voted in the affirmative were:

Apgar	Dudley	Harper	Mills	Smith A E
Averill	Duell	Harris	Mooney	Smith C
Baldwin	Eagleton	Hart	Moreland	Smith Myron
Baumann	Eggleston	Hastings	Morgan	Stern
Blue	Eichhorn	Hoey	Murphy G W	Stevenson
Brady	Farrell	Holmes	Nevins	Stratton
Brooks	Ferguson	Hooper	Newton	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley'	Foley J A	Huth	O'Brian	Voss
Burhyte	Fowler	Jackson	Oliver	Waddell
Burns	Francis	Jacobs	Parker	Wagner
Cavanaugh	Frisbie	Lansing	Patton	Wainwright
Chamberlain	Ganly	Lee	Phillips	Waters
Cole	Garbe	Lewis	Prentice	Weber
Collins	Geoghagan	Loos	Ralston	Weimert
Colne	Glore	Lowe	Reece	Wells
Conklin	Goldberg	Lupton	Robinson	West
Conrad	Gray	Maher	Rogers	Whitley
Croak	Green	Mallon	Schmidt	Whitney F G
Cuvillier	Gunderman	Mance	Schoeneck	Whitney G H
De Groot	Hackett	Marlatt	Schulz	Winters
Dominy	Haines	Hamilton	Schwegler	Wood
Donnelly	Hamilton	Mead	Sheridan	Yale
Dowling	Hammond	Merritt	Shuttleworth	Young
Draper	Hamn	Miller	Sinclair	

Those who voted in the negative were:

Foley C F Glynn

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the

final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the bill (No. 2680) entitled "An act to amend chapter one hundred and thirty-one of the Laws of nineteen hundred and seven, entitled 'An act to authorize the city of Utica to borrow money and issue bonds for the purpose of completing the changing of the channel of the Mohawk river between said city and the town of Deerfield, and to authorize the Superintendent of Public Works to accept said new channel,' relative to the rate of interest to be paid on bonds." (Int. No. 1734.)

Said bill having been announced for third reading,

Mr. Hart moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

On page 2, line 23, after the word "sum" strike out the words "actually required to complete the changing of said channel as above provided in this section." and insert in place thereof the words "of fifty thousand dollars; but in case it shall become necessary to do work under the provisions of this act which will involve a total cost of more than fifty thousand dollars, such additional estimated amount, when needed, shall be certified to the common council by the commission, together with a statement of the purposes for which the same is to be used, and thereupon further bonds for such additional amount may be issued by said council".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Dowling, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and restored to special order third reading.

Mr. Speaker announced the special order, being the Senate bill (No. 619) entitled "An act to regulate transfers of goods in bulk." (Rec. No. 266.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 1

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Merritt	Shuttleworth
Averill	Duell	Hamn	Miller	Sinclair
Baldwin	Eagleton	Harper	Mills	Smith A E
Baumann	Eggleston	Harris	Mooney	Smith C
Blue	Eichhorn	Hart	Morelana	Smith Myron
Brady	Farrell	Hastings	Morgan	Stern
Brooks	Ferguson	Hoey	Murphy G W	Stevenson
Brough	Feth	Holmes	Nevins	Surpless
Brown	Filley	Hooper	Newton	Todd
Buckley	Foley C F	Hubbs	Northrup	Volk
Burhyte	Foley J A	Hurd	Norton	Voss
Burns	Fowler	Huth	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Chamberlain	Frisbie	Jacobs	Parker	Wainwright
Cole	Ganly	Lansing	Patton	Waters
Collins	Garbe	Lee	Phillips	Weber
Colné	Geoghagan	Lewis	Prentice	Weimert
Conklin	Glore	Loos	Ralston	Wells
Conrady	Glynn	Lowe	Reece	West
Croak	Goldberg	Lupton	Robinson	Whitley
Cuvillier	Gray	Maher	Rogers	Whitney F G
De Groot	Green	Mallon	Schmidt	Whitney G H
Dominy	Gunderman	Mance	Schoeneck	Winters
Donnelly	Hackett	Marlatt	Schulz	Wood
Dowling	Haines	Matthews	Schwegler	Yale
Draper	Hamilton	Mead	Sheridan	Young

In the negative:

Stratton

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 2689) entitled "An act to provide for the opening and maintenance of inlets from the ocean into Shinnecock bay and into Mecox bay, in the town of Southampton, in the county of Suffolk, and repealing chapter six hundred and twenty-eight of the Laws of eighteen hundred and eighty-seven, chapter two hundred and fifty-seven of the Laws of eighteen hundred and ninety-two, and a part of chapter twenty-nine of the Laws of eighteen hundred and seventy-three." (Int. No. 1505.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Apgar	Duell	Hamn	Miller	Sinclair
Averill	Eagleton	Harper	Mills	Smith A E
Baldwin	Eggleston	Harris	Mooney	Smith C
Baumann	Eichhorn	Hart	Moreland	Smith Myron
Blue	Farrell	Hastings	Morgan	Stern
Brady	Ferguson	Hoey	Murphy G W	Stevenson
Brooks	Feth	Holmes	Nevins	Stratton
Brough	Filley	Hooper	Newton	Surpless
Brown	Foley C F	Hubbs	Northrup	Todd
Buckley	Foley J A	Hurd	Norton	Volk
Burhyte	Fowler	Huth	O'Brian	Voss
Burns	Francis	Jackson	Oliver	Waddell
Cavanaugh	Frisbie	Jacobs	Parker	Wagner
Chamberlain	Ganly	Lansing	Patton	Wainwright
Cole	Garbe	Lee	Phillips	Waters
Collins	Geoghagan	Lewis	Prentice	Weber
Colné	Glore	Loos	Ralston	Weimert
Conklin	Glynn	Lowe	Reece	Wells
Conrad	Goldberg	Lupton	Robinson	West
Croak	Gray	Maher	Rogers	Whitley
Cuvillier	Green	Mallon	Schmidt	Whitney F G
De Groot	Gunderman	Mance	Schoeneck	Whitney G H
Dominy	Hackett	Marlatt	Schulz	Winters
Donnelly	Haines	Matthews	Schwegler	Wood
Dowling	Hamilton	Mead	Sheridan	Yale
Draper	Hammond	Merritt	Shuttleworth	Young
Dudley				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the bill (No. 2674) entitled "An act to amend 'An act in relation to the traffic in liquors and for the taxation and regulation of the same, and to provide for local option, constituting chapter twenty-nine of the general laws.'" (Int. No. 1294.)

Said bill having been announced for a third reading, on motion of Mr. C. F. Foley, and by unanimous consent, said bill was made a special order on third reading for Wednesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 2688) entitled "An act to amend the Tax Law, in relation to ascertaining value of special franchises and equalization thereof, powers of State Board of Tax Commissioners, review of assessments and collection of taxes." (Int. No. 1592.)

Said bill having been announced for second reading, Mr. O'Brian moved to amend as follows:

Page 1, strike out the words "and equalization thereof," from the title.

Page 2, lines 7 and 8, after the word "franchise" strike out the words "and shall be known as the tentative valuation thereof".

Page 2, line 8, after the word "thereof" strike out the bracket.

Page 6, line 12, after the word "franchise" strike out the bracket.

Page 6, line 19, strike out the brackets.

Page 6, line 19, strike out the words "the tentative valuation".

Page 6, line 23, strike out the bracket.

Page 6, line 24, strike out the bracket.

Page 6, line 24, after the word "assessment" in brackets strike out the italicized word "valuation".

Page 7, line 4 strike out bracket.

Page 7, line 4, after the word "assessment" in brackets strike out the italicized word "valuation".

Page 7, line 21, to bottom of page, and pages 8, 9, 10 and 11 to and including line 13, on page 12, strike out entire section 3, which proposes to add "§ 44-a" to the Tax Law.

Page 13, line 17, after the word "proceeding" strike out bracket.

Page 13, line 25, after the word "residence" strike out bracket.

Page 14, lines 1 and 2, strike out "as provided in subdivision two of section forty-four-a of this act".

Page 14, line 9, strike out "by subdivision two of section forty-four-a of this act".

Page 16, lines 3 and 4, strike out "as provided in subdivision two of section forty-four-a of this chapter".

Debate was had thereon, when Mr. Phillips moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. O'Brian, and it was determined in the negative.

AYES 49

NOES 73

Those who voted in the affirmative were:

Averill	Dobbs	Foley J A	Huth	Patton
Bohan	Donnelly	Francis	Jackson	Prentice
Brough	Duell	Ganly	Lee	Schmidt
Brown	Eichhorn	Garbe	Loos	Schulz
Buckley	Farrell	Gluck	Lowe	Sheridan
Burzynski	Fay	Glynn	Maher	Stern
Cavanaugh	Ferguson	Goldberg	Mallon	Weimert
Collins	Feth	Harris	McCue	Wells
Colné	Flanagan	Hoey	Mooney	Whitley
Croak	Foley C F	Holmes	O'Brian	

Those who voted in the negative were:

Allen	Draper	Lansing	Phillips	Volck
Apgar	Dudley	Lewis	Ralston	Voss
Baldwin	Eggleston	Lupton	Reece	Waddell
Baumann	Filley	Marlatt	Robinson	Wagner
Blue	Fowler	Matthews	Rogers	Wainwright
Brady	Green	Mead	Schoeneck	Waters
Brooks	Gunderman	Merritt	Shuttleworth	Weber
Burhyte	Hackett	Mills	Sinclair	West
Burns	Haines	Moreland	Smith C	Whitney F G
Cole	Hammond	Murphy C F	Smith Myron	Whitney G H
Conklin	Harper	Murphy G W	Stanton	Winters
Conrady	Hastings	Nevins	Stevenson	Wood
Cuvillier	Hooper	Newton	Stratton	Yale
De Groot	Hurd	Northrup	Surpless	Young
Dominy	Keller	Oliver		

Mr. Phillips moved to amend as follows:

On page 1, line 2, strike out "nineteen hundred and" and insert in place thereof "eighteen hundred and ninety".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to special order second and third reading.

Mr. Speaker announced the special order, being the bill (No. 2385) entitled "An act to amend the Tax Law, in relation to information to be furnished to local assessing officers by recording officers, duty of local assessing officers, and providing penalties." (Int. No. 1594.)

Said bill having been announced for a second reading,

On motion of Mr. Phillips, and by unanimous consent, said bill was made a special order on second and third reading for Monday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 2150) entitled "An act to provide for enumeration of the inhabitants of the village of Red Hook, and for refunding excessive excise taxes collected in such village on an erroneous basis of population." (Int. No. 1591.)

On motion of Mr. Northrup, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 5

Those who voted in the affirmative were:

Apgar	Dudley	Hamilton	Merritt	Shuttleworth
Averill	Duell	Hammond	Miller	Sinclair
Baldwin	Eagleton	Harper	Mills	Smith A E
Baumann	Eggleston	Harris	Mooney	Smith C
Blue	Eichhorn	Hart	Moreland	Smith Myron
Brady	Farrell	Hastings	Morgan	Stern
Brooks	Ferguson	Hoey	Murphy G W	Stevenson
Brough	Feth	Holmes	Nevins	Stratton
Brown	Filley	Hooper	Newton	Surpless
Buckley	Foley C F	Hurd	Northrup	Todd
Burhyte	Foley J A	Huth	Norton	Voss
Burns	Fowler	Jackson	O'Brian	Waddell
Cavanaugh	Francis	Jacobs	Oliver	Wagner
Chamberlain	Frisbie	Lansing	Parker	Wainwright
Cole	Ganly	Lee	Patton	Waters
Collins	Garbe	Lewis	Phillips	Weber
Colné	Geoghagan	Loos	Prentice	Weiniert
Conklin	Glore	Lowe	Ralston	Wells
Conrad	Glynn	Lupton	Reece	West
Croak	Goldberg	Maher	Robinson	Whitley
Cuvillier	Gray	Mallon	Schmidt	Whitney G H
De Groot	Green	Mance	Schoeneck	Winters
Dominy	Gunderman	Marlatt	Schulz	Wood
Donnelly	Hackett	Matthews	Schwegler	Yale
Dowling	Haines	Mead	Sheridan	Young
Draper				

Those who voted in the negative were:

Hamm

Hubbs

Rogers

Volk

Whitney F G

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2321) entitled "An act to amend the Code of Criminal Procedure, in relation to testimony as to the sanity or insanity of defendant" (Int. No. 1677). Said bill having been announced for a second reading,

On motion of Mr. Moreland, said bill was recommitted to the committee on rules, retaining its place on the order of second reading.

Mr. Speaker announced the special order, being the Senate bill (No. 1035, Assembly reprint No. 2593) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section seven of article seven of the Constitution" (Rec. No. 300). Said bill having been announced for second reading,

Mr. Dominy moved to amend as follows:

On page 1, line 5, italicize "except as here-".

On page 1, line 6, italicize "inafter provided".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to special order second and third reading.

Mr. Speaker announced the special order, being the bill (No. 2641) entitled, "An act to amend the Agricultural Law, in relation to the manufacture and sale of vinegar" (Int. No. 1841). Said bill having been announced for second reading,

Mr. Eggleston moved to amend as follows:

Page 2, line 17, strike out "ten cents" and insert "one cent".

Line 20, strike out "five cent" and insert "one cent".

Lines 23 and 24, strike out "three cent" and insert "one cent".

Page 3, line 1, strike out "two cents" and insert "one cent".

Page 3, line 17, at end of line insert "Said stamps to be used on cider vinegar shall be white with black letters and shall contain the words "Pure Cider Vinegar" printed thereon and stamps to be used on other vinegar shall be red with black letters

and contain the word "vinegar" and the Commissioner of Agriculture shall designate the size and dimensions of said stamps and the size and character of the printing thereon".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to special order second and third reading.

Mr. Speaker announced the special order, being the bill (No. 2681) entitled "An act to amend the Liquor Tax Law, in relation to definitions; bonds to be given; revocation and cancellation of liquor tax certificates; injunction proceedings, illegal sales and selling; definition of 'hotel' and 'guest'; exceptions; special liquor tax certificates in cities of the first and second class." (Int. No. 1554.)

On motion of Mr. F. G. Whitney, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 86

NOES 28

Those who voted in the affirmative were:

Allen	Dominy	Harper	Murphy G W	Smith Myron
Apgar	Draper	Harris	Nevins	Stanton
Averill	Dudley	Hastings	Newton	Stevenson
Baldwin	Duell	Holmes	Northrup	Stratton
Blue	Eggleston	Hubbs	O'Brian	Surpless
Brady	Eichhorn	Hurd	Oliver	Volk
Brough	Ferguson	Lansing	Patton	Voss
Brown	Filley	Lee	Phillips	Waddell
Burhyte	Flanagan	Lewis	Prentice	Wainwright
Burzynski	Foley J A	Lowe	Ralston	Waters
Chamberlain	Fowler	Lupton	Reece	Weber
Colné	Francis	Marlatt	Robinson	Weimert
Conklin	Glynn	Matthews	Rogers	West
Conrady	Green	Mead	Schoeneck	Whitley
Cunningham	Gunderman	Merritt	Shuttleworth	Whitney F G
Cuvillier	Haines	Moreland	Sinclair	Whitney G H
De Groot	Hamn	Murphy C F	Smith C	Wood
Dobbs				

Those who voted in the negative were:

Burns	Feth	Goldberg	Mallon	Sheridan
Cavanaugh	Foley C F	Hackett	McCue	Smith A E
Collins	Ganly	Huth	Schmidt	Stern
Donnelly	Garbe	Jackson	Schulz	Todd
Eagleton	Geoghagan	Loos	Schwegler	Wagner
Fay	Gluck,	Maher		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2670) entitled "An act to amend chapter two hundred and sixty-six of the Laws of nineteen hundred and three, entitled 'An act to provide for the holding of town meetings and elections in counties of the State having a certain population,' in relation to the time when town officers shall take office, compensation of certain committees and supervisors of such counties." (Int. No. 1854.)

Said bill having been announced for second reading, Mr. Ferguson moved to amend as follows:

On page 2, line 17, after "the" and before "first" insert "succeeding".

On page 2, line 22, strike out "7" and insert "5".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to special order second and third reading.

Mr. Speaker announced the special order, being the bill (No. 2673) entitled "An act to amend the Penal Code by adding a section to be known as section one hundred and eleven-a, making it a misdemeanor to disobey a subpoena in a criminal action or proceeding." (Int. No. 175.)

On motion of Mr. Prentice, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Apgar	Duell	Hamn	Miller	Sinclair
Averill	Eagleton	Harper	Mills	Smith A E
Baldwin	Eggleston	Harris	Mooney	Smith C
Baumann	Eichhorn	Hart	Moreland	Smith Myron
Blue	Farrell	Hastings	Morgan	Stern
Brady	Ferguson	Hoey	Murphy G W	Stevenson
Brooks	Feth	Holmes	Nevins	Stratton
Brough	Filley	Hooper	Newton	Surpress
Brown	Foley C F	Hubbs	Northrup	Todd
Buckley	Foley J A	Hurd	Norton	Volk
Burhyte	Fowler	Huth	O'Brian	Voss
Burns	Francis	Jackson	Oliver	Waddell
Cavanaugh	Frisbie	Jacobs	Parker	Wagner
Chamberlain	Ganly	Lansing	Patton	Wainwright
Cole	Garbe	Lee	Phillips	Waters
Collins	Geoghagan	Lewis	Prentice	Weber
Colné	Glore	Loos	Ralston	Weimert
Conklin	Glynn	Lowe	Reece	Wells
Conrady	Goldberg	Lupton	Robinson	West
Croak	Gray	Maher	Rogers	Whitley
Cuvillier	Green	Mallon	Schmidt	Whitney F G
De Groot	Gunderman	Mance	Schoeneck	Whitney G H
Dominy	Hackett	Marlatt	Schulz	Winters
Donnelly	Haines	Matthews	Schwegler	Wood
Dowling	Hamilton	Mead	Sheridan	Yale
Draper	Hammond	Merritt	Shuttleworth	Young
Dudley				

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1497) entitled "An act to revise the charter of the city of North Tonawanda." (Rec. No. 338.)

Said bill having been announced for a second reading,

On motion of Mr. C. F. Foley, said bill was recommitted to the committee on rules, retaining its place on the order of second reading.

Mr. Speaker announced the special order, being the Senate bill (No. 1321) entitled "An act to legalize and confirm the certificate of incorporation and the incorporation of the Corning, Keuka Lake and Ontario Railway Company and the proceedings taken and had under or in pursuance of said certificate." (Rec. No. 386.)

On motion of Mr. Moreland, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 120

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Merritt	Shuttleworth
Averill	Duell	Hann	Miller	Sinclair
Baldwin	Eagleton	Harper	Mills	Smith A E
Baumann	Eggleston	Harris	Mooney	Smith C
Blue	Eichhorn	Hart	Moreland	Smith Myron
Brady	Farrell	Hastings	Morgan	Stern
Brooks	Ferguson	Hoey	Murphy G W	Stevenson
Brough	Feth	Holmes	Nevins	Stratton
Brown	Filley	Hooper	Newton	Surpless
Buckley	Foley C F	Hubbs	Northrup	Todd
Burhyte	Foley J A	Hurd	Norton	Volk
Burns	Fowler	Huth	O'Brial	Voos
Cavanaugh	Francis	Jackson	Oliver	Waddell
Chamberlain	Frisbie	Jacobs	Parker	Wainwright
Cole	Ganly	Lansing	Patton	Waters
Collins	Garbe	Lee	Phillips	Weber
Colné	Geoghagan	Lewis	Prentice	Weimert
Ccnklin	Glore	Loos	Ralston	Wells
Conrady	Glynn	Lowe	Reece	West
Croak	Goldberg	Lupton	Robinson	Whitley
Cuvillier	Gray	Maher	Rogers	Whitney F G
De Groot	Green	Mallon	Schmidt	Whitney G H
Dominy	Gunderman	Mance	Schoeneck	Winters
Donnelly	Hackett	Marlatt	Schulz	Wood
Dowling	Haines	Matthews	Schwegler	Yale
Draper	Hamilton	Mead	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1562) entitled "An act in relation to the construction of certain railroads where the property and franchises of the corporation organized to construct the same have been sold under foreclosure proceedings." (Rec. No. 385.)

On motion of Mr. Moreland, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Apgar	Duell	Hamn	Miller	Sinclair
Averill	Eagleton	Harper	Mills	Smith A E
Baldwin	Eggleston	Harris	Mooney	Smith C
Baumann	Eichhorn	Hart	Moreland	Smith Myron
Blue	Farrell	Hastings	Morgan	Stern
Brady	Ferguson	Hoei	Murphy G W	Stevenson
Brooks	Feth	Holmes	Nevins	Stratton
Brough	Filley	Hooper	Newton	Surpless
Brown	Foley C F	Hubbs	Northrup	Todd
Buckley	Foley J A	Hurd	Norton	Volk
Burhyte	Fowler	Huth	O'Brian	Voss
Burns	Francis	Jackson	Oliver	Waddell
Cavanaugh	Frisbie	Jacobs	Parker	Wagner
Chamberlain	Ganly	Lansing	Patton	Wainwright
Cole	Garbe	Lee	Phillips	Waters
Collins	Geoghagan	Lewis	Prentice	Weber
Colné	Glore	Loos	Ralston	Weimert
Conklin	Glynn	Lowe	Reece	Wells
Conrady	Goldberg	Lupton	Robinson	West
Croak	Gray	Maher	Rogers	Whitley
Cuvillier	Green	Mallon	Schmidt	Whitney F G
De Groot	Gunderman	Mance	Schoeneck	Whitney G H
Dominy	Hackett	Marlatt	Schulz	Winters
Donnelly	Haines	Matthews	Schwegler	Wood
Dowling	Hamilton	Mead	Sheridan	Yale
Draper	Hammond	Merritt]	Shuttleworth	Young
Dudley				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 994) entitled "An act to amend the charter of the city of Cortland, in relation to conferring on the common council of such city certain additional powers." (Rec. No. 192.)

On motion of Mr. Rogers, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Apgar	Duell	Hamn	Miller	Sinclair
Averill	Eagleton	Harper	Mills	Smith A E
Baldwin	Eggleston	Harris	Mooney	Smith C
Baumann	Eichhorn	Hart	Moreland	Smith Myron
Blue	Farrell	Hastings	Morgan	Stern
Brady	Ferguson	Hoey	Murphy G W	Stevenson
Brooks	Feth	Holmes	Nevis	Stratton
Brough	Filley	Hooper	Newton	Surpless
Brown	Foley C F	Hubbs	Northrup	Todd
Buckley	Foley J A	Hurd	Norton	Volk
Burhyte	Fowler	Huth	O'Brian	Voss
Burns	Francis	Jackson	Oliver	Waddell
Cavanaugh	Frisbie	Jacobs	Parker	Wagner
Chamberlain	Ganly	Lansing	Patton	Wainwright
Cole	Garbe	Lee	Phillips	Waters
Collins	Geoghagan	Lewis	Prentice	Weber
Colné	Glore	Loos	Ralston	Weimert
Conklin	Glynn	Lowe	Reece	Wells
Conrady	Goldberg	Lupton	Robinson	West
Croak	Gray	Maher	Rogers	Whitley
Cuvillier	Green	Mallon	Schmidt	Whitney F G
De Groot	Gunderman	Mance	Schoeneck	Whitney G H
Dominy	Hackett	Marlatt	Schulz	Winters
Donnelly	Haines	Matthews	Schwegler	Wood
Dowling	Hamilton	Mead	Sheridan	Yale
Draper	Hammond	Merritt	Shuttleworth	Young
Dudley				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1304) entitled "An act to establish and maintain a water department in and for the city of Cortland." (Rec. No. 319.)

On motion of Mr. Rogers, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Duell	Hamn	Miller	Sinclair
Averill	Eagleton	Harper	Mills	Smith A E
Baldwin	Eggleston	Harris	Mooney	Smith C
Baumann	Eichhorn	Hart	Moreland	Smith Myron
Blue	Farrell	Hastings	Morgan	Stern
Brady	Ferguson	Hoe	Murphy G W	Stevenson
Brooks	Feth	Holmes	Nevins	Stratton
Brough	Filley	Hooper	Newton	Surpless
Brown	Foley C F	Hubbs	Northrup	Todd
Buckley	Foley J A	Hurd	Norton	Volk
Burhyte	Fowler	Huth	O'Brian	Voss
Burns	Francis	Jackson	Oliver	Waddell
Cavanaugh	Frisbie	Jacobs	Parker	Wagner
Chamberlain	Ganly	Lansing	Patton	Wainwright
Cole	Garbe	Lee	Phillips	Waters
Collins	Geoghagan	Lewis	Prentice	Weber
Colné	Glore	Loos	Ralston	Weimert
Conklin	Glynn	Lowe	Reece	Wells
Conrady	Goldberg	Lupton	Robinson	West
Croak	Gray	Maher	Rogers	Whitley
Cuvillier	Green	Mallon	Schmidt	Whitney F G
De Groot	Gunderman	Mance	Schoeneck	Whitney G H
Dominy	Hackett	Marlatt	Schulz	Winters
Donnelly	Haines	Matthews	Schwegler	Wood
Dowling	Hamilton	Mead	Sheridan	Yale
Draper	Hammond	Merritt	Shuttleworth	Young
Dudley				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1170) entitled "An act to amend section twelve of the Forest, Fish and Game Law, as amended by section two of chapter five hundred and eighty of the Laws of nineteen hundred and four." (Rec. No. 301.)

Said bill having been announced for a second reading, on motion of Mr. Mills, and by unanimous consent, said bill was made a special order on second and third reading for Tuesday next, immediately after the reading of the journal.

Mr. Apgar in the chair.

Mr. Speaker announced the special order, being the Senate bill (No. 1545) entitled "An act constituting the charter of the city of Rochester." (Rec. No. 361.)

Said bill having been announced for second reading, Mr. Harris moved to amend as follows:

Page 31, strike out all of line 21 after the word "road" and all of the remainder of the page and all of pages 32, 33, 34, 35, 36, 37, 38 and lines 1, 2, 3, and 4, page 39, and insert as follows: "to Clifford street, thence westerly along the center of Clifford street to Hudson avenue, the place of beginning, shall constitute the twenty-second ward".

Debate was had thereon, when Mr. Moreland moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Harris, and it was determined in the negative.

AYES 33

NOES 72

Those who voted in the affirmative were:

Apgar	Croak	Ganly	Huth	Northrup
Baumann	Farrell	Garbe	Keller	Phillips
Bohan	Fay	Geoghagan	Loos	Prentice
Brooks	Feth	Gluck	Marlatt	Smith C
Buckley	Flanagan	Hammond	McCue	Smith Myron
Burzynski	Foley C F	Harris	Mead	Stevenson
Cole	Foley J A	Hoey		

Those who voted in the negative were:

Allen	Duell	Hubbs	Nevins	Stratton
Averill	Eggleston	Hurd	Newton	Surplless
Baldwin	Eichhorn	Jackson	Patton	Volk
Brady	Filley	Lansing	Ralston	Voss
Brough	Fowler	Lee	Reece	Waddell
Brown	Francis	Lowe	Robinson	Wagner
Burhyte	Glynn	Lupton	Rogers	Wainwright
Collins	Green	Maher	Schmidt	Waters
Colné	Gunderman	Mallon	Schoeneck	Weber
Conrady	Hackett	Matthews	Shuttleworth	Whitley
Cunningham	Haines	Mills	Sinclair	Whitney F G
De Groot	Hamn	Moreland	Smith A E	Whitney G H
Dominy	Harawitz	Murphy C F	Stanton	Wood
Draper	Harper	Murphy G W	Stern	Young
Dudley	Hooper			

On motion of Mr. Whitley, said bill was then read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 2

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Miller	Sinclair
Averill	Duell	Hamn	Mills	Smith A E
Baldwin	Eagleton	Harper	Mooney	Smith C
Baumann	Eggleston	Hart	Moreland	Smith Myron
Blue	Eichhorn	Hastings	Morgan	Stern
Brady	Farrell	Hoe	Murphy G W	Stevenson
Brooks	Ferguson	Holmes	Nevins	Stratton
Brough	Feth	Hooper	Newton	Surpless
Brown	Filley	Hubbs	Northrup	Todd
Buckley	Foley C F	Hurd	Norton	Volk
Burhyte	Foley J A	Huth	O'Brian	Voss
Burns	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Jacobs	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Wainwright
Cole	Ganly	Lee	Phillips	Waters
Collins	Garbe	Lewis	Prentice	Weber
Colné	Geoghagan	Loos	Ralston	Weimert
Conklin	Glore	Lowe	Reece	Wells
Conrady	Glynn	Lupton	Robinson	West
Croak	Goldberg	Maher	Rogers	Whitley
Cunningham	Gray	Mallon	Schmidt	Whitney F G
Cuvillier	Green	Mance	Schoeneck	Whitney G H
De Groot	Gunderman	Marlatt	Schulz	Winters
Dominy	Hackett	Matthews	Schwegler	Wood
Donnelly	Haines	Mead	Sheridan	Yale
Dowling	Hamilton	Merritt	Shuttleworth	Young
Draper				

Those who voted in the negative were:

Dobbs Harris

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker in the chair.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, May 8, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1563, Senate reprint No. 1339, Int. No. 1270), entitled "An act re- to the public printing of Clinton county."

CHARLES E. HUGHES.

Said bill having been announced, Mr. Dominy moved to recon- sider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimerb
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue	Shuttleworth	

Mr. Dominy moved that said bill be recommitted to the com- mittee on internal affairs, with instructions to report the same

forthwith amended by the substitution of the following substitute bill:

(See Appendix No. 37.)

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Apgar, from the committee on internal affairs, reported said bill amended as directed, and the same was ordered printed and placed on the order of third reading.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, May 14, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1747, Int. No. 1376), entitled "An act to amend chapter one hundred and twenty of the laws of eighteen hundred and eighty-six, entitled 'An act to revise the charter of the city of Lockport,' generally."

CHARLES E. HUGHES.

Said bill having been announced, Mr. C. F. Foley moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Miller	Sinclair
Averill	Duell	Hamn	Mills	Smith A E
Baldwin	Eagleton	Harper	Mooney	Smith C
Baumann	Eggleston	Harris	Moreland	Smith Myron
Blue	Eichhorn	Hart	Morgan	Stern
Brady	Farrell	Hastings	Murphy G W	Stevenson
Brooks	Ferguson	Hoey	Nevins	Stratton
Brough	Feth	Holmes	Newton	Surpluss
Brown	Filley	Hooper	Northrup	Todd
Buckley	Foley C F	Hubbs	Norton	Volk
Burhyte	Foley J A	Hurd	O'Brien	Voss

Burns	Fowler	Huth	Oliver	Waddell
Cavanaugh	Francis	Jackson	Parker	Wagner
Chamberlain	Frisbie	Jacobs	Patton	Wainwright
Cole	Ganly	Lansing	Phillips	Waters
Collins	Garbe	Lee	Prentice	Weber
Colné	Geoghagan	Lewis	Ralston	Weimert
Conklin	Glore	Loos	Reece	Wells
Conrady	Glynn	Lowe	Robinson	West
Croak	Goldberg	Lupton	Rogers	Whitley
Cunningham	Gray	Maher	Schmidt	Whitney F G
Cuvillier	Green	Mallon	Schoeneck	Whitney G H
De Groot	Gunderman	Marlatt	Schulz	Winters
Dominy	Hackett	Matthews	Schwegler	Wood
Donnelly	Haines	Mead	Sheridan	Yale
Dowling	Hamilton	Merritt	Shuttleworth	Young
Draper				

Mr. C. F. Foley moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

On page 8, line 15, after "council" insert a period and a bracket.

On page 8, line 15, strike out the brackets and the words "one hundred".

On page 8, line 16, after the word "month" insert a bracket.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Dowling, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, May 14, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1459, Int. No. 837) entitled "An act to provide for a department of public instruction in the city of Syracuse."

CHARLES E. HUGHES.

Said bill having been announced, Mr. Baldwin moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree

to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hamn	Miller	Sinclair
Averill	Duell	Harper	Mills	Smith A E
Baldwin	Eagleton	Harris	Mooney	Smith C
Baumann	Eggleston	Hart	Moreland	Smith Myron
Blue	Eichhorn	Hastings	Morgan	Stern
Brady	Farrell	Hoey	Murphy G W	Stevenson
Brooks	Ferguson	Holmes	Nevins	Stratton
Brough	Feth	Hooper	Newton	Surpless
Brown	Filley	Hubbs	Northrup	Todd
Buckley	Foley C F	Hurd	Norton	Volk
Burhyte	Foley J A	Huth	O'Brian	Voss
Burns	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Jacobs	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Wainwright
Cole	Ganly	Lee	Phillips	Waters
Collins	Garbe	Lewis	Prentice	Weber
Colné	Geoghagan	Loos	Ralston	Weimert
Conklin	Glore	Lowe	Reece	Wells
Conrady	Glynn	Lupton	Robinson	West
Croak	Goldberg	Maher	Rogers	Whitley
Cunningham	Gray	Mallon	Schmidt	Whitney F G
Cuvillier	Green	Mance	Schoeneck	Whitney G H
De Groot	Gunderman	Marlatt	Schulz	Winters
Dominy	Hackett	Matthews	Schwegler	Wood
Donnelly	Haines	Mead	Sheridan	Yale
Dowling	Hamilton	Merritt	Shuttleworth	Young
Draper	Hammond			

Mr. Baldwin moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

On page 3, line 11, after "determine" strike out ", " and insert ". ".

Page 3, lines 11 and 12, strike out "not exceeding the sum of four thousand dollars per annum".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Dowling, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, May 9, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1736, Int. No. 1365) entitled "An act creating a board of public works in the city of New Rochelle, prescribing its powers and duties, conferring upon such board the duties of the commissioners of sewers, abolishing the office of city engineer and increasing the duties of superintendent of streets."

CHARLES E. HUGHES.

Said bill having been announced, Mr. Duell moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Merritt	Sinclair
Averill	Duell	Hamn	Miller	Smith A E
Baldwin	Eagleton	Harper	Mills	Smith C
Baumann	Eggleston	Harris	Mooney	Smith Myron
Blue	Eichhorn	Hart	Moreland	Stern
Brady	Farrell	Hastings	Morgan	Stevenson
Brooks	Ferguson	Hoey	Murphy G W	Stratton
Brough	Feth	Holmes	Nevins	Surpless
Brown	Filley	Hooper	Newton	Todd
Buckley	Foley C F	Hubbs	Northrup	Volk
Burhyte	Foley J A	Hurd	Norton	Voss
Burns	Fowler	Huth	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Chamberlain	Frisbie	Jacobs	Patton	Wainwright
Cole	Ganly	Lansing	Phillips	Waters
Collins	Garbe	Lee	Prentice	Weber
Colné	Geoghagan	Lewis	Ralston	Weimert
Conklin	Glore	Loos	Reece	Wells
Conrad	Glynn	Lowe	Robinson	West
Croak	Goldberg	Lupton	Rogers	Whitley
Cuvillier	Gray	Maher	Schmidt	Whitney F G
De Groot	Green	Mallon	Schoeneck	Whitney G H
Dominy	Gunderman	Mance	Schulz	Winters
Donnelly	Hackett	Marlatt	Schwegler	Wood
Dowling	Haines	Matthews	Sheridan	Yale
Draper	Hamilton	Mead	Shuttleworth	Young

Mr. Duell moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 2, lines 17 and 18, strike out the words "at a salary not exceeding three hundred eight and thirty-three one-hundredths dollars per month".

Page 2, lines 17 and 18, strike out the words "at a salary not exceeding one hundred and fifty dollars per month".

Page 2, lines 20 and 21, strike out the words "at a salary not exceeding one hundred and ten dollars per month".

Page 2, line 22, strike out the words "at a salary not exceeding seventy-five dollars per month".

Page 2, lines 23 and 24, strike out the words "at a salary not exceeding one hundred and twenty-five dollars per month".

Page 2, lines 24 and 25, strike out the words "at a salary not exceeding one hundred dollars per month".

Page 2, lines 25 and 26, strike out the words "at a salary not exceeding one hundred dollars per month".

Page 2, lines 26 and 27, strike out the words "at a salary not exceeding sixty-six and sixty-seven one-hundredths dollars per".

Page 3, line 1, strike out the word "month".

Page 3, lines 1 and 2, strike out the words "at a salary not exceeding sixty dollars per month".

Page 3, lines 2 and 3, strike out the words "at a salary not exceeding one hundred dollars per month each".

Page 3, lines 3 and 4, strike out the words "at a salary not exceeding two dollars per day each".

Page 3, line 5, strike out the words "at a salary not exceeding ninety dollars per month".

Page 3, lines 6 and 7, strike out the words "at a salary not exceeding two dollars per day each".

Page 3, line 11, after the period following the word "employment" insert the words "The common council shall prescribe salaries and wages under this act".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Dowling, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 1931, Int. No. 447) entitled "An act relating to the removal of

patients from hospitals in the city of New York," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

Mr. Speaker stated the question to be "Shall this bill pass notwithstanding the objections of the mayor of the city of New York thereto?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

AYES 82

NOES 20

Those who voted in the affirmative were:

Baldwin	Eggleston	Harper	Moreland	Smith C
Blue	Eichhorn	Hoey	Murphy C F	Smith Myron
Brady	Farrell	Holmes	Murphy G W	Stanton
Brooks	Ferguson	Hooper	Newton	Stevenson
Brough	Filley	Hubbs	Northrup	Stratton
Brown	Flanagan	Hurd	Patton	Surplless
Burhyte	Foley J A	Huth	Prentice	Todd
Cole	Fowler	Jackson	Ralston	Volk
Collins	Francis	Keller	Reece	Voss
Colné	Ganly	Lowe	Robinson	Waters
Conklin	Garbe	Lupton	Rogers	Weber
Conrady	Geoghagan	Maher	Schmidt	Weimert
De Groot	Gluck	Matthews	Schoeneck	Whitley
Dobbs	Green	McCue	Schulz	Whitney F G
Dominy	Gunderman	Merritt	Shuttleworth	Winters
Dudley	Haines	Mills	Sinclair	Yale
Duell	Hammond			

Those who voted in the negative were:

Averill	Cunningham	Hackett	Oliver	Smith A E
Buckley	Cuvillier	Harris	Phillips	Wagner
Burzynski	Eagleton	Lansing	Schwegler	Wainwright
Croak	Glynn	Loos	Sheridan	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

A communication was received from Hon. George B. McClellan, mayor of the city of New York, returning Assembly bill (No. 1407, Int. No. 922) entitled "An act to amend chapter seven hundred and twenty-four of the Laws of nineteen hundred and five, entitled 'An act to provide for an additional supply of pure and wholesome water for the city of New York, and for the acquisition of lands or interest therein, and for the construction

of the necessary reservoirs, dams, aqueducts, filters and other appurtenances for that purpose and for the appointment of a commission with the powers and duties necessary and proper to attain these objects,' in relation to clerks, stenographers, surveyors and other employees to commissioners," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

Mr. Speaker stated the question to be " Shall this bill pass notwithstanding the objections of the mayor of the city of New York thereto?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

AYES 89

NOES 48

Those who voted in the affirmative were:

Allen	Dowling	Hooper	Nevins	Surplless
Apgar	Draper	Hubbs	Newton	Volk
Averill	Dudley	Hurd	Norton	Voss
Baldwin	Duell	Lansing	O'Brian	Waddell
Blue	Eggleston	Lee	Patton	Wainwright
Brady	Eichhorn	Lewis	Phillips	Waters
Brooks	Ferguson	Lowe	Prentice	Weber
Brough	Filley	Lupton	Ralston	Weimert
Brown	Fowler	Maher	Reece	Wells
Burhyte	Francis	Marlatt	Robinson	West
Chamberlain	Gray	Matthews	Rogers	Whitley
Cole	Green	Mead	Schoeneck	Whitney F G
Collins	Gunderman	Merritt	Shuttleworth	Whitney G H
Colné	Hammond	Miller	Sinclair	Winters
Conklin	Hamn	Mills	Smith C	Wood
Conrady	Harris	Moreland	Staley	Yale
De Groot	Hart	Murphy C F	Stratton	Young
Dominy	Hastings	Murphy G W	Stevenson	

Those who voted in the negative were:

Baumann	Eagleton	Gluck	Keller	Schulz
Bohan	Farrell	Glynn	Loos	Schwegler
Buckley	Fay	Goldberg	Mallon	Sheridan
Burns	Feth	Hackett	McCue	Smith A E
Burzynski	Flanagan	Harawitz	Mooney	Stern
Cavanaugh	Foley C F	Hoey	Northrup	Stratton
Croak	Foley J A	Holmes	Oliver	Todd
Cuvillier	Ganly	Huth	Prince	Wagner
Dobbs	Garbe	Jackson	Schmidt	Walters
Donnelly	Geoghagan	Jacobs		

The Senate returned the Assembly bill (No. 1899, Senate reprint No. 1504, Int. No. 1289) entitled "An act to amend the

Tax Law, relative to certain exemptions," with a message that they have concurred in the passage of the same, with the following amendments:

On page 2, line 2, after "music" insert a comma ",".

Same page and line, commencing with the word "or" strike out all down to and including "meetings" line 3.

Same page, line 4, strike out "hall or halls" and insert in lieu thereof "academy".

Same page, line 7, strike out "or hall or halls".

Same page, line 9, strike out "hall or halls" and insert in lieu thereof "academy".

Same page, line 11, strike out "hall or halls" and insert in lieu thereof "academy".

Same page, line 14, strike out "hall or halls" and insert in lieu thereof "academy".

Mr. C. F. Murphy moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Harper	Mills	Smith A E
Averill	Duell	Harris	Mooney	Smith C
Baldwin	Eagleton	Hart	Moreland	Smith Myron
Baumann	Eggleston	Hastings	Morgan	Stern
Blue	Eichhorn	Hoey	Murphy G W	Stevenson
Brady	Farrell	Holmes	Nevins	Stratton
Brooks	Ferguson	Hooper	Newton	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Foley C F	Huth	O'Brian	Voss
Burhyte	Foley J A	Jackson	Oliver	Waddell
Burns	Fowler	Jacobs	Patton	Wagner
Cavanaugh	Francis	Lansing	Phillips	Wainwright
Chamberlain	Frisbie	Lee	Prentice	Waters
Cole	Ganly	Lewis	Ralston	Weber
Collins	Garbe	Loos	Reece	Weimert
Colné	Geoghagan	Lowe	Robinson	Wells
Conklin	Glore	Lupton	Rogers	West
Conrady	Glynn	Maher	Schmidt	Whitley
Croak	Goldberg	Mallon	Schoeneck	Whitney F G
Cuvillier	Gray	Mance	Schulz	Whitney G H
De Groot	Green	Marlatt	Schwegler	Winters

Dominy	Gunderman	Matthews	Sheridan	Wood
Donnelly	Hackett	Mead	Shuttleworth	Yale
Dowling	Hammond	Merritt	Sinclair	Young
Draper	Hamn	Miller		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1263, Senate reprint No. 1567, Int. No. 661) entitled "An act in relation to gas and electricity in the city of Syracuse," with a message that they have concurred in the passage of the same, with the following amendments:

Strike out all after the enacting clause and substitute Senate reprint No. 1567.

(See Appendix No. 38.)

Mr. Hammond moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hamn	Miller	Sinclair
Averill	Duell	Harper	Mills	Smith A E
Baldwin	Eagleton	Harris	Mooney	Smith C
Baumann	Eggleston	Hart	Moreland	Smith Myron
Blue	Eichhorn	Hastings	Morgan	Stern
Brady	Farrell	Hoev	Murphy G W	Stevenson
Brooks	Ferguson	Holmes	Nevins	Stratton
Brough	Feth	Hooper	Newton	Surpless
Brown	Filley	Hubbs	Northrup	Todd
Buckley	Foley C F	Hurd	Norton	Volk
Burhyte	Foley J A	Huth	O'Brian	Voss
Burns	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Jacobs	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Wainwright
Cole	Ganly	Lee	Phillips	Waters
Collins	Garbe	Lewis	Prentice	Weber
Colné	Geoghagan	Loos	Ralston	Weimert
Conklin	Glore	Lowe	Reece	Wells
Conrady	Glynn	Lupton	Robinson	West
Croak	Goldberg	Maher	Rogers	Whitley
Cunningham	Gray	Mallon	Schmidt	Whitney F G

Cuvillier	Green	Mance	Schoeneck	Whitney G H
De Groot	Gunderman	Marlatt	Schulz	Winters
Dominy	Hackett	Matthews	Schwegler	Wood
Donnelly	Haines	Mead	Sheridan	Yale
Dowling	Hamilton	Merritt	Shuttleworth	Young
Draper	Hammond			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 988, Senate reprint No. 1391, Int. No. 888) entitled "An act in relation to servers of jury notices in the office of the commissioner of jurors of the county of Kings," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 1, after the first word "the" insert "board of estimate and apportionment of the city of New York is hereby authorized, in its discretion, to fix the". On same page, line 3, strike out the words "is hereby fixed at" and insert in lieu thereof "at not less than twelve hundred nor more than". Same page, line 7, strike out "the" and insert in lieu thereof "any". Same page and line, strike out "by" and insert in lieu thereof "under".

Mr. Weber moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00-

Those who voted in the affirmative were:

Apgar	Dudley	Hamn	Miller	Sinclair
Averill	Duell	Harper	Mills	Smith A E
Baldwin	Eagleton	Harris	Mooney	Smith C
Baumann	Eggleston	Hart	Moreland	Smith Myron
Blue	Eichhorn	Hastings	Morgan	Stern
Brady	Farrell	Hoey	Murphy G W	Stevenson
Brooks	Ferguson	Holmes	Nevins	Stratton
Brough	Feth	Hooper	Newton	Surpless
Brown	Filley	Hubbs	Northrup	Todd
Buckley	Foley C F	Hurd	Norton	Volk
Burhyte	Foley J A	Huth	O'Brian	Voss
Burns	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Jacobs	Parker	Wagner

Chamberlain	Frisbie	Lansing	Patton	Wainwright
Cole	Ganly	Lee	Phillips	Waters
Collins	Garbe	Lewis	Prentice	Weber
Colné	Geoghagan	Loos	Ralston	Weimert
Conklin	Glore	Lowe	Reece	Wells
Conrady	Glynn	Lupton	Robinson	West
Croak	Goldberg	Maher	Rogers	Whitley
Cunningham	Gray	Mallon	Schmidt	Whitney F G
Cuvillier	Green	Mance	Schoeneck	Whitney G H
De Groot	Gunderman	Marlatt	Schulz	Winters
Dominy	Hackett	Matthews	Schwegler	Wood
Donnelly	Haines	Mead	Sheridan	Yale
Dowling	Hamilton	Merritt	Shuttleworth	Young
Draper	Hammond			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2455, Senate reprint No. 1541, Int. No. 1747) entitled "An act for the relief of the Chapin Home for the Aged and Infirm, to authorize a sale, grant and conveyance of certain property from the city of New York to said the Chapin Home for the Aged and Infirm, and to authorize the sale, grant, conveyance or lease of the property by the Chapin Home for the Aged and Infirm," with a message that they have concurred in the passage of the same, with the following amendment:

On page 1, line 2, after "empowered" insert "in their discretion".

Mr. Stanton moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hamn	Miller	Sinclair
Averill	Duell	Harper	Mills	Smith A E
Baldwin	Eagleton	Harris	Mooney	Smith C
Baumann	Eggleston	Hart	Moreland	Smith Myron
Blue	Eichhorn	Hastings	Morgan	Stern
Brady	Farrell	Hoey	Murphy G W	Stevenson

Brooks	Ferguson	Holmes	Nevins	Stratton
Brough	Feth	Hooper	Newton	Surpluss
Brown	Filley	Hubbs	Northrup	Todd
Buckley	Foley C F	Hurd	Norton	Volk
Burhyte	Foley J A	Huth	O'Brian	Voss
Burns	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Jacobs	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Wainwright
Cole	Ganly	Lee	Phillips	Waters
Collins	Garbe	Lewis	Prentice	Weber
Colné	Geoghagan	Loos	Ralston	Weimert
Conklin	Glore	Lowe	Reece	Wells
Conrady	Glynn	Lupton	Robinson	West
Croak	Goldberg	Maher	Rogers	Whitley
Cunningham	Gray	Mallon	Schmidt	Whitney F G
Cuvillier	Green	Mance	Schoeneck	Whitney G H
De Groot	Gunderman	Marlatt	Schulz	Winters
Dominy	Hackett	Matthews	Schwegler	Wood
Donnelly	Haines	Mead	Sheridan	Yale
Dowling	Hamilton	Merritt	Shuttleworth	Young
Draper	Hammond			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the Assembly bill (No. 1322, Senate reprint No. 1514, Int. No. 1117) entitled "An act regulating and restraining the practice of midwifery in the city of New York," with a message that they have concurred in the passage of the same, with the following amendment:

On page 1, line 9, after the word "assist" insert "for a compensation of any kind,".

Mr. Gluck moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Aggar	Dudley	Hamn	Miller	Sinclair
Averill	Duell	Harper	Mills	Smith A E
Baldwin	Eagleton	Harris	Mooney	Smith C
Baumann	Eggleston	Hart	Moreland	Smith Myron
Blue	Eichhorn	Hastings	Morgan	Stern

Brady	Farrell	Hoey	Murphy G W	Stevenson
Brooks	Ferguson	Holmes	Nevins	Stratton
Brough	Feth	Hooper	Newton	Surpless
Brown	Filley	Hubbs	Northrup	Todd
Buckley	Foley C F	Hurd	Norton	Volk
Burhyte	Foley J A	Huth	O'Brian	Voss
Burns	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Jacobs	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Wainwright
Cole	Ganly	Lee	Phillips	Waters
Collins	Garbe	Lewis	Prentice	Weber
Colné	Geoghagan	Loos	Ralston	Weimert
Conklin	Glore	Lowe	Reece	Wells
Conrady	Glynn	Lupton	Robinson	West
Croak	Goldberg	Maher	Rogers	Whitley
Cunningham	Gray	Mallon	Schmidt	Whitney F G
Cuvillier	Green	Mance	Schoeneck	Whitney G H
De Groot	Gunderman	Marlatt	Schulz	Winters
Dominy	Hackett	Matthews	Schwegler	Wood
Donnelly	Haines	Mead	Sheridan	Yale
Dowling	Hamilton	Merritt	Shuttleworth	Young
Draper	Hammond			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the Assembly bill (No. 2010, Senate reprint No. 1538; Int. No. 1535) entitled "An act authorizing and empowering the board of estimate and apportionment of the city of New York, in its discretion, to take action relative to the necessary expenses incurred in relation to acquiring title to property at the foot of Nicholas avenue, borough of Richmond, city of New York," with a message that they have concurred in the passage of the same, with the following amendments:

Commencing with the first line of title, strike out all of title from "Ratifying" down to and including the first "And" on line 3 of title and commence word "authorizing" on line 3 of title with a capital.

On line 4 of title, after "apportionment" insert "of the city of New York".

In line 6 of title, strike out "the same" and after the word "to" in line 6 of title insert the following: "acquiring title to property at the foot of Nicholas avenue, borough of Richmond, city of New York."

On page 1, strike out all of lines 1, 2, 3, 4, 5.

Page 1, line 6, strike out section 2 and renumber it section 1.

Page 1, line 6, after "apportionment" insert "of the city of New York".

Page 2, line 1, strike out "this" and insert "the".

Page 2, line 1, after "proceeding" insert "to acquire property at the foot of Nicholas avenue, from Richmond terrace to the pierhead line in the borough of Richmond, city of New York".

Page 2, line 4, strike out section 3 and renumber it section 2.

Mr. Croak moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hamn	Miller	Sinclair
Averill	Duell	Harper	Mills	Smith A E
Baldwin	Eagleton	Harris	Mooney	Smith C
Baumann	Eggleston	Hart	Moreland	Smith Myron
Blue	Eichhorn	Hastings	Morgan	Stern
Brady	Farrell	Hoey	Murphy G W	Stevenson
Brooks	Ferguson	Holmes	Nevins	Stratton
Brough	Feth	Hooper	Newton	Surpless
Brown	Filley	Hubbs	Northrup	Todd
Buckley	Foley C F	Hurd	Norton	Volk
Burhyte	Foley J A	Huth	O'Brian	Voss
Burns	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Jacobs	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Wainwright
Cole	Ganly	Lee	Phillips	Waters
Collins	Garbe	Lewis	Prentice	Weber
Colne	Geoghagan	Loos	Ralston	Weimert
Conklin	Glore	Lowe	Reece	Wells
Conrady	Glynn	Lupton	Robinson	West
Croak	Goldberg	Maher	Rogers	Whitley
Cunningham	Gray	Mallon	Schmidt	Whitney F G
Cuvillier	Green	Mance	Schoeneck	Whitney G H
De Groot	Gunderman	Marlatt	Schulz	Winters
Dominy	Hackett	Matthews	Schwegler	Wood
Donnelly	Haines	Mead	Sheridan	Yale
Dowling	Hamilton	Merritt	Shuttleworth	Young
Draper	Hammond			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 455, Senate re-print No. 1338, Int. No. 446) entitled "An act to better protect the lives of railroad employees," with a message that they have

concurred in the passage of the same, with the following amendments:

Page 1, line 4, after "train " insert " composed of more than twenty cars ". Same page, line 6, strike out " except that " and insert in lieu thereof " or ". Same page, line 7, strike out " shall have " and insert in lieu thereof " without ".

Mr. Baldwin moved to concur in the Senate amendments:

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hamn	Miller	Sinclair
Averill	Duell	Harper	Mills	Smith A E
Baldwin	Eagleton	Harris	Mooney	Smith C
Baumann	Eggleston	Hart	Moreland	Smith Myron
Blue	Eichhorn	Hastings	Morgan	Stern
Brady	Farrell	Hoey	Murphy G W	Stevenson
Brooks	Ferguson	Holmes	Nevins	Stratton
Brough	Feth	Hooper	Newton	Surpless
Brown	Filley	Hubbs	Northrup	Todd
Buckley	Foley C F	Hurd	Norton	Volk
Burhyte	Foley J A	Huth	O'Brian	Voss
Burns	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Jacobs	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Wainwright
Cole	Ganly	Lee	Phillips	Waters
Collins	Garbe	Lewis	Prentice	Weber
Colné	Geoghagan	Loos	Ralston	Weimert
Conklin	Glore	Lowe	Reece	Wells
Conrady	Glynn	Lupton	Robinson	West
Croak	Goldberg	Maher	Rogers	Whitley
Cunningham	Gray	Mallon	Schmidt	Whitney F G
Cuvillier	Green	Mance	Schoeneck	Whitney G H
De Groot	Gunderman	Marlatt	Schulz	Winters
Dominy	Hackett	Matthews	Schwegler	Wood
Donnelly	Haines	Mead	Sheridan	Yale
Dowling	Hamilton	Merritt	Shuttleworth	Young
Draper	Hammond			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2248, Senate reprint No. 1596, Int. No. 1266) entitled "An act to provide for the appointment of a State commission of prisons, and defining its powers and duties," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 5, after the word "Senate" insert a period. Same page and line, strike out "three of whom shall be appointed from and reside". Same page, line 6, strike out "in the city of New York". Same page, line 9, strike out after the word "successors" the words "Except as herein".

On page 2, commencing with line 1, strike out all down to and including the word "ensuing", line 7. Same page, line 8, before the word "members" strike out the word "remaining". Same page, line 9, after the word "effect," insert "two for one year, two for two years, two for three years and one for four years,". Same page, line 11, after the word "vacancy" strike out "subsequently occurring". Same page, line 12, after the word "commissioner," insert "the appointment shall be", and also strike out the words "a commissioner shall, subject to the". Same page, line 13, before the word "for" strike out "approval of the Senate, be appointed by the Governor". Same page, line 20, after the second word "and" strike out "shall". Same page, line 22, after the word "him" strike out "by the commission and by law". Same page and line, before the word "shall" strike out "The secretary" and insert in lieu thereof "He". Same page, line 23, after the word "salary" insert "to be fixed by the commission not to exceed". Same page and line, before the word "three" strike out the word "of". Same page and line, after the word "thousand" strike out "six hundred". Same page, line 24, after the word "and" strike out "shall". Same page, line 26, after the word "as" strike out "it". Same page and line, after the word "may" strike out the word "deem" and insert in lieu thereof "be". Same page and line, after the word "necessary" strike out "or proper" and insert in lieu thereof "for which an appropriation shall have been made".

On page 3, line 1, after "tion" insert a comma and also the following: "within any appropriation so made,". Same page, line 3, after the word "commissioners" strike out "The com-". Same page, line 4, before the word "each" strike out "pensation of". Same page and line, strike out the word "each" and insert "Each". Same page and line, strike out after the word "commissioner" the following: "in recognition of the provisions" and insert in lieu thereof "shall be entitled to receive". Same page, line 5, before the word "ten" strike out "of the Constitu-

tion, is fixed at". Same page, line 7, after the word "dollars" strike out the period and insert in lieu thereof a comma and insert "and also to his actual". Same page and line, after the word "dollars" strike out the word "The". Same page, line 8, after the word "expenses" strike out "of each commissioner". Same page, line 9, after the word "office" insert a period, and strike out all down to and including the word "Comptroller", line 13. Same page, line 15, strike out after the word and "orders, regulating" and insert in lieu thereof "regulations for". Same page, line 18, after the word "once" strike out "every three" and insert in lieu thereof "each". Same page and line, after the word "each" strike out the word "months" and insert "month". Same page, line 22, after the word "commission" strike out the word "may" and insert "shall". Same page, line 24, after the word "Governor" strike out "may" and insert "shall".

On page 4, lines 7 and 8, after the word "proceedings" strike out "by its secretary or other proper officer,". Same page; line 12, after the word "secretary" strike out all down to and including the word "proven", line 14. Same page, line 18, after "oath" insert a period, and also strike out all down to and including the word "such", line 24.

On page 5, line 2, strike out the semicolon after the word "debtors" and insert in lieu thereof a comma, and after said comma insert "excepting such reformatories as are subject to the visitation and inspection of the State Board of Charities". Same page, line 8, after the word "and" strike out the word "improve" and insert in lieu thereof "approve". Same page, line 11, after the word "the" strike out the word "supervision" and insert in lieu thereof "visitation".

On page 6, line 3, after the word "secretary," insert "when authorized". Same page, line 8, after the word "commission," insert "when authorized,". Same page, line 16, after the word "commission." strike out all down to and including the word "office", line 21. Same page, line 23, after the word "shall" strike out "unlawfully". Same page and line, after the word "refuse" strike out the word "to". Same page, line 24, before the word "or" strike out "admit".

On page 7, line 4, after "misdemeanor," strike out all down to and including the word "neglect", line 5.

On page 8, line 3, after the word "acts" insert the word "and". Same page and line, after the word "proceedings" strike out "and conclusions". Same page, line 14, after the word "debtors" insert a comma, and also the following: "subject to the visitation of the commission,".

On page 9, line 7, after the word "year" strike out all down to and including the word "and", line 8. Same page, line 9, after the word "required" strike out "to be purchased". Same page, line 10, before the word "political" strike out the word "the" and insert in lieu thereof "such".

On page 10, line 16, after the word "act" strike out all down to and including the word "act", line 17.

Mr. Robinson moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hamn	Miller	Sinclair
Averill	Duell	Harper	Mills	Smith A E
Baldwin	Eagleton	Harris	Mooney	Smith C
Baumann	Eggleston	Hart	Moreland	Smith Myron
Blue	Eichhorn	Hastings	Morgan	Stern
Brady	Farrell	Hoey	Murphy G W	Stevenson
Brooks	Ferguson	Holmes	Nevins	Stratton
Brough	Feth	Hooper	Newton	Surpluss
Brown	Filley	Hubbs	Northrup	Todd
Buckley	Foley C F	Hurd	Norton	Volk
Burhyte	Foley J A	Huth	O'Brian	Voss
Burns	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Jacobs	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Wainwright
Cole	Ganly	Lee	Phillips	Waters
Collins	Garbe	Lewis	Prentice	Weber
Colné	Geoghagan	Loos	Ralston	Weimert
Conklin	Glore	Lowe	Reece	Wells
Conrady	Glynn	Lupton	Robinson	West
Croak	Goldberg	Maher	Rogers	Whitley
Cunningham	Gray	Mallon	Schmidt	Whitney F G
Cuvillier	Green	Mance	Schoeneck	Whitney G H
De Groot	Gunderman	Marlatt	Schulz	Winters
Dominy	Hackett	Matthews	Schwegler	Wood
Donnelly	Haines	Mead	Sheridan	Yale
Dowling	Hamilton	Merritt	Shuttleworth	Young
Draper	Hammond			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2178, Senate reprint No. 1505, Int. No. 1405) entitled "An act to amend the Forest, Fish and Game Law, in relation to the sale of trout in Oneida and other counties," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 2 of title, after the word "trout" insert the word "in" and also strike out the comma after the word "trout". Same page and line, strike out the word "county" and insert in lieu thereof "and other counties."

On page 1, line 3, after the word "in" insert "Albany,". Same page and line, after "Chenango" insert "Columbia,". Same page and line, after "Rensselaer" insert "Saratoga, Schenectady, Livingston, Franklin, Saint Lawrence,". Same page, line 5, after the word "Tioga" insert the word "Otsego" and strike out the word "and" enclosed in brackets. Same page, line 6, after the word "in" insert "Albany". Same page and line, after "Chenango" insert "Columbia". Same page, line 7, after the word "Rensselaer" insert "Saratoga, Schenectady, Livingston, Franklin, Saint Lawrence". Same page, line 8, after "Wyoming" strike out the word "and" in brackets and insert in lieu thereof "Otsego".

Mr. Lewis moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hamn	Miller	Sinclair
Averill	Duell	Harper	Mills	Smith A E
Baldwin	Eagleton	Harris	Mooney	Smith C
Baumann	Eggleston	Hart	Moreland	Smith Myron
Blue	Eichhorn	Hastings	Morgan	Stern
Brady	Farrell	Hoey	Murphy G W	Stevenson
Brooks	Ferguson	Holmes	Nevins	Stratton
Brough	Feth	Hooper	Newton	Surpluss
Brown	Filley	Hubbs	Northrup	Todd
Buckley	Foley C F	Hurd	Norton	Volk
Burhyte	Foley J A	Huth	O'Brien	Voss

Burns	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Jacobs	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Wainwright
Cole	Ganly	Lee	Phillips	Waters
Collins	Garbe	Lewis	Prentice	Weber
Colné	Geoghagan	Loos	Ralston	Weimert
Conklin	Glore	Lowe	Reece	Wells
Conrady	Glynn	Lupton	Robinson	West
Croak	Goldberg	Maher	Rogers	Whitley
Cunningham	Gray	Mallon	Schmidt	Whitney F G
Cuvillier	Green	Mance	Schoeneck	Whitney G H
De Groot	Gunderman	Marlatt	Schulz	Winters
Dominy	Hackett	Matthews	Schwegler	Wood
Donnelly	Haines	Mead	Sheridan	Yale
Dowling	Hamilton	Merritt	Shuttleworth	Young
Draper	Hammond			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2213, Senate re-print No. 1564, Int. No. 609) entitled "An act to amend the Labor Law, relative to inspection of mines, tunnels and quarries," with a message that they have concurred in the passage of the same, with the following amendments:

On page 3, line 6, after the word "mines" insert a period, and on same page and line, strike out the words "and tunnels". Same page, line 9, strike out the words "or tunnel". Same page, line 16, strike out the words "or tunnel".

On page 4, line 3, after the word "tunnel" insert in italics "in process of construction."

On page 7, line 21, after the word "than" strike out the word "one" and insert in lieu thereof the word "two" in italics. Same page, line 22, strike out the word "twenty-five" and insert in lieu thereof "fifty" in italics.

Mr. Schoeneck moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hamn	Miller	Sinclair
Averill	Duell	Harper	Mills	Smith A E
Baldwin	Eagleton	Harris	Mooney	Smith C
Baumann	Eggleston	Hart	Moreland	Smith Myron
Blue	Eichhorn	Hastings	Morgan	Stern
Brady	Farrell	Hoey	Murphy G W	Stevenson
Brooks	Ferguson	Holmes	Nevins	Stratton
Brough	Feth	Hooper	Newton	Surpless
Brown	Filey	Hubbs	Northrup	Todd
Buckley	Foley C F	Hurd	Norton	Volk
Burhyte	Foley J A	Huth	O'Brian	Voss
Burns	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Jacobs	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Wainwright
Cole	Ganly	Lee	Phillips	Waters
Collins	Garbe	Lewis	Prentice	Weber
Colné	Geoghagan	Loos	Ralston	Weimert
Conklin	Glore	Lowe	Reece	Wells
Conrady	Glynn	Lupton	Robinson	West
Croak	Goldberg	Maher	Rogers	Whitley
Cunningham	Gray	Mallon	Schmidt	Whitney F G
Cuvillier	Green	Mance	Schoeneck	Whitney G H
De Groot	Gunderman	Marlatt	Schulz	Winters
Dominy	Hackett	Matthews	Schwegler	Wood
Donnelly	Haines	Mead	Sheridan	Yale
Dowling	Hamilton	Merritt	Shuttleworth	Young
Draper	Hammond			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2302, Senate reprint No. 1489, Int. No. 1517) entitled "An act to amend chapter seven hundreded and sixty of the Laws of eighteen hundred and ninety-seven, entitled 'An act to revise the charter of the city of Watertown,' in relation to the liability of the city," with a message that they have concurred in the passage of the same, with the following amendments:

On page 2, line 19, after the word "works" insert "or a member thereof". Same page, line 25, after the word "works" insert "or a member thereof".

Mr. Wood moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar

legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hamn	Miller	Sinclair
Averill	Duell	Harper	Mills	Smith A E
Baldwin	Eagleton	Harris	Mooney	Smith C
Baumann	Eggleston	Hart	Moreland	Smith Myron
Blue	Eichhorn	Hastings	Morgan	Stern
Brady	Farrell	Hoey	Murphy G W	Stevenson
Brooks	Ferguson	Holmes	Nevins	Stratton
Brough	Feth	Hooper	Newton	Surpluss
Brown	Filley	Hubbs	Northrup	Todd
Buckley	Foley C F	Hurd	Norton	Volk
Burhyte	Foley J A	Huth	O'Brian	Voss
Burns	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Jacobs	Parker	Wagner
Chamberlain	Ganly	Lansing	Patton	Wainwright
Cole	Garbe	Lee	Phillips	Waters
Collins	Geoghagan	Lewis	Prentice	Weber
Colné	Glore	Loos	Ralston	Weimert
Conklin	Glynn	Lowe	Reece	Wells
Conrady	Goldberg	Lupton	Robinson	West
Croak	Gray	Maher	Rogers	Whitley
Cuvillier	Green	Mallon	Schmidt	Whitney F G
De Groot	Gunderman	Mance	Schoeneck	Whitney G H
Dominy	Hackett	Marlatt	Schulz	Winters
Donnelly	Haines	Matthews	Schwegler	Wood
Dowling	Hamilton	Mead	Sheridan	Yale
Draper	Hammond	Merritt	Shuttleworth	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

By unanimous consent, Mr. Wainwright offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on rules be discharged from the further consideration of the bill (No. 1579, Rec. No. 393) entitled "An act to authorize the city of New York and the village of Mount Kisco, Westchester county, New York, to enter into a contract or agreement to provide for the disposal of the sewage of said village and to allow the city of New York to acquire such lands, as may be necessary in and about said village and to raise funds to carry said contract or agreement into effect."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, on motion of Mr. Wainwright, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Wainwright, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Harper	Mills	Smith A E
Averill	Duell	Harris	Mooney	Smith C
Baldwin	Eagleton	Hart	Moreland	Smith Myron
Baumann	Eggleston	Hastings	Morgan	Stern
Blue	Eichhorn	Hoey	Murphy G W	Stevenson
Brady	Farrell	Holmes	Nevins	Stratton
Brooks	Ferguson	Hooper	Newton	Surpluss
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Foley C F	Huth	O'Brian	Voss
Burhyte	Foley J A	Jackson	Oliver	Waddell
Burns	Fowler	Jacobs	Patton	Wagner
Cavanaugh	Francis	Lansing	Phillips	Wainwright
Chamberlain	Ganly	Lee	Prentice	Waters
Cole	Garbe	Lewis	Ralston	Weber
Collins	Geoghagan	Loos	Reece	Weimert
Colne	Glore	Lowe	Robinson	Wells
Conklin	Glynn	Lupton	Rogers	West
Conrady	Goldberg	Maher	Schmidt	Whitley
Croak	Gray	Mallon	Schoeneck	Whitney F G
Cuvillier	Green	Marlatt	Schulz	Whitney G H
De Groot	Gunderman	Matthews	Schwegler	Winters
Dominy	Hackett	Mead	Sheridan	Wood
Donnelly	Hammond	Merritt	Shuttleworth	Yale
Dowling	Hamn	Miller	Sinclair	Young
Draper				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Mead offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of

Assembly bill (No. 1562, Senate reprint No. 1418, Int. No. 1269) entitled "An act to amend the Revised Statutes, in relation to references in insolvent debtors' proceedings," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Nevins offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1788, Senate reprint No. 1388, Int. No. 1408) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for trout in Livingston county," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the bill (No. 2330, Int. No. 1687) entitled "An act to amend chapter one hundred and sixty-seven of the laws of nineteen hundred and six, entitled 'An act to make the office of county clerk of Wyoming county a salaried office, and regulating the management of said office,' generally."

Also, the bill (No. 2005, Int. No. 770) entitled "An act to amend the Labor Law, relative to confectioneries."

Also, the bill (No. 2523, Int. No. 1745) entitled "An act to amend chapter ninety, of the Laws of eight hundred and forty-six, entitled 'An act to incorporate the Hudson Orphan and Relief Association,' generally."

Also, the bill (No. 68, Int. No. 68) entitled "An act to incorporate the National Board of the Young Women's Christian Associations of the United States of America."

Also, the bill (No. 1377, Int. No. 682) entitled "An act to amend the Railroad Law, in relation to protection of street railroad employees in the counties of Kings and Queens."

Also, the bill (No. 2174, Int. No. 721) entitled "An act to amend the Forest, Fish and Game Law, relating to penalties."

Also, the bill (No. 2598, Int. No. 1818) entitled "An act authorizing the Marcellus and Otisco Lake Railway Company and the Newark and Marion Railway Company to use locomotive steam power as a motive power."

Also, the bill (No. 568, Int. No. 543) entitled "An act to amend the Lien Law, relative to the filing of contracts, assignments or orders with the chief fiscal officer of a municipal corporation."

Also, the bill (No. 2352, Int. No. 221) entitled "An act to amend section twelve hundred and forty-two of the Code of Civil Procedure, relating to the sale of real property," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 1753, Assembly reprint No. 2548, Int. No. 1078) entitled "An act to amend chapter two hundred and sixty-two of the Laws of eighteen hundred and fifty-five, entitled 'An act revising and amending an act, entitled "An act to incorporate the village of Saugerties,"' in relation to the salary of clerk," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 1676, Int. No. 884) entitled "An act to amend the Lien Law, relative to publishing notice of sale of personal property to satisfy a lien."

Also, the bill (No. 2048, Int. No. 1263) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for woodcock, in Rensselaer and Yates counties."

Also, the bill (No. 2047, Int. No. 1262) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for grouse in Rensselaer, Westchester and Yates counties."

Also, the bill (No. 1846, Int. No. 1445) entitled "An act to amend chapter two hundred and forty-three of the Laws of eighteen hundred and fifty-nine, entitled 'An act to amend the charter and several acts relating to the village of Waterford, and to incorporate the same into one act,' in relation to the powers of the trustees of such village in respect to cemeteries and legacies."

Also, the bill (No. 1958, Int. No. 820) entitled "An act to amend the Banking Law, in relation to time of making reports."

Also, the bill (No. 2135, Int. No. 1322) entitled "An act to amend the Forest, Fish and Game Law, in relation to certain penalties."

Also, the bill (No. 1838, Int. No. 1437) entitled "An act to amend section five of chapter five hundred and seventeen of the Laws of eighteen hundred and ninety-nine, entitled 'An act to authorize the paving or macadamizing of streets, avenues, highways and public places in the village of Port Chester, Westchester county, and to provide for the payment of the expense of the same,' in relation to the rate of interest of bonds therein authorized to be issued."

Also, the bill (No. 1726, Int. No. 539) entitled "An act to amend the Forest, Fish and Game Law in relation to transportation of deer or venison."

Also, the bill (No. 1728, Int. No. 145) entitled "An act to amend the Forest, Fish and Game Law, relative to the close season for deer."

Also, the bill (No. 2175, Int. No. 1352) entitled "An act to amend the Executive Law, in relation to the deputies of the Comptroller."

Also, the bill (No. 2362, Int. No. 1476) entitled "An act to empower the local authorities of the town of Hempstead in the county of Nassau to pay certain accounts."

Also, the bill (No. 2437, Int. No. 1629) entitled "An act to amend the Town Law, in relation to assessors' clerks in certain towns of the county of Nassau."

Also, the bill (No. 2386, Int. No. 1637) entitled "An act to amend the Town Law, in relation to notice of special town meeting."

Also, the bill (No. 1428, Int. No. 1183) entitled "An act to amend section three of chapter two hundred and thirty-one of the Laws of eighteen hundred and seventy-six, entitled 'An act to make the office of supervisor, in the county of Erie, a salaried office, and to provide for the appointment and compensation of other officers of said board,' as amended by chapter one hundred

and ninety-five of the Laws of eighteen hundred and seventy-nine, as further amended by chapter four hundred and eighty-five of the Laws of eighteen hundred and ninety-two, in relation to the officers of the board of supervisors, and as further amended by chapter four hundred and eighty-seven of the Laws of eighteen hundred and ninety-eight."

Also, the bill (No. 2139, Int. No. 1331) entitled "An act to amend the Agricultural Law, relative to the exposition of products with other merchandise or stock in a place of business."

Also, the bill (No. 244, Int. No. 243) entitled "An act to amend the Forest, Fish and Game Law, relative to penalties."

Also, the bill (No. 2136, Int. No. 720) entitled "An act to amend the Forest, Fish and Game Law, in relation to the possession of lake trout during the close season."

Also, the bill (No. 2569, Int. No. 1804) entitled "An act to amend chapter six hundred and sixty-six of the Laws of eighteen hundred and ninety-three, entitled 'An act to revise, amend and consolidate the several acts relating to the village of Canandaigua, and to repeal certain acts and parts of acts,' and the acts amendatory thereof, in relation to payment of village accounts, powers and duties of the board of street and sewer commissioners, and the village trustees in relation to care and improvement of pier and basin."

Also, the bill (No. 1840, Int. No. 1439) entitled "An act to amend the Forest, Fish and Game Law, relative to close season for quail in certain counties."

Also, the bill (No. 2432, Int. No. 1738) entitled "An act to validate a special election of the village of Briarcliff Manor, authorizing the borrowing of money, issue of bonds, and acquisition and management of certain property."

Also, the bill (No. 2441, Int. No. 1606) entitled "An act to amend chapter two hundred and forty-two of the Laws of nineteen hundred and six, entitled 'An act to amend, revise and consolidate the charter of the village of Ossining and to extend the boundaries of said village.'"

Also, the bill (No. 1029, Int. No. 914) entitled "An act authorizing the Commissioners of the Land Office of the State of New York to quit-claim unto the abutting owners all the right,

title and interest of the State of New York in and to that portion of the Military road (so-called), situate in the town of Lewiston, county of Niagara and State of New York," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the Senate bill (No. 1149, Assembly reprint No. 2549, Rec. No. 222) entitled "An act to amend the Greater New York charter, by providing for additional city magistrates, and for additional police clerks, assistant clerks, stenographers and interpreters for city magistrates courts, in the second division of the city of New York," with a message that they have concurred in the amendments of the Assembly made thereto.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the bill (No. 1639, Int. No. 964) entitled "An act to amend chapter five hundred and fifty-two of the Laws of eighteen hundred and seventy-five, entitled 'An act in relation to habitual drunkards, vagrants and prostitutes in the county of Erie,' relative to commitments to the Salvation Army Rescue Home."

Also, the bill (No. 2016, Int. No. 1541) entitled "An act in relation to the compensation of village officers of the village of Skaneateles."

Also, the bill (No. 584, Int. No. 556) entitled "An act to amend the Highway Law, in relation to highway accounts and reports of highway receipts and expenditures to the State Engineer."

Also, the bill (No. 1680, Int. No. 787) entitled "An act to amend the Penal Code, relating to wilful or malicious injury to certain articles in public libraries, galleries, museums and collections."

Also, the bill (No. 1975, Int. No. 1520) entitled "An act authorizing the board of supervisors of Seneca county to appropriate moneys to provide quarters for Grand Army posts."

Also, the bill (No. 2348, Int. No. 1700) entitled "An act authorizing the Commissioners of the Land Office to convey a tract of land situated at Kings Park, in the town of Smithtown, Suffolk county, and forming part of the lands of the Kings Park

State Hospital, in exchange for certain other land situated at Kings Park, in the town of Smithtown, Suffolk county, for the use of the said Kings Park State Hospital."

Also, the bill (No. 2354, Int. No. 1674) entitled "An act to amend chapter two hundred and twenty-eight of the Laws of eighteen hundred and ninety-five, entitled 'An act relating to the moneys received by the town of Hounsfield from the sale of stock in the Carthage, Watertown and Sacketts Harbor Railroad Company,' relative to the care and custody of such moneys, and the accounting and removal of railroad commissioner."

Also, the bill (No. 1760, Int. No. 1378) entitled "An act to amend the Insurance Law, relative to exception of the Fraternal Order of the Scandinavian Brotherhood of America from certain of its provisions."

Also, the bill (No. 1761, Int. No. 1379) entitled "An act to confer jurisdiction upon the board of supervisors of Erie county to hear, audit, determine and provide for the payment of the alleged claim of the Ryan, Danahy and Ryan Company."

Also, the bill (No. 1744, Int. No. 1373) entitled "An act to amend the Code of Civil Procedure, relating to the discharge of mechanic's lien," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 2443, Int. No. 1483) entitled "An act to amend chapter six hundred and thirty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Yonkers,' generally," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Yonkers.

The Senate returned the bill (No. 2411, Int. No. 1717) entitled "An act authorizing the board of commissioners of the sinking fund in the city of New York to cancel and annul certain unpaid taxes upon the real estate, in said city, belonging to the Friendly Aid Society," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 2483, Int. No. 1764) entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain taxes, assessments and water rates, now existing liens against and affecting property situated in the borough of Brooklyn, city of New York, belonging to Saint Malachy's Roman Catholic Church," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 2421, Int. No. 1727) entitled "An act to amend chapter five hundred and sixty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to incorporate the city of Little Falls,' relative to laying out, widening, altering or straightening streets, highways, alleys, lanes or public grounds," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Little Falls.

The Senate returned the bill (No. 2339, Int. No. 857) entitled "An act to amend the Greater New York charter, in relation to licensing auctioneers," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 1972, Int. No. 1516) entitled "An act to authorize the commissioners of the sinking fund of the city of New York, in their discretion, and upon such terms as they may deem proper, to remit certain taxes upon property of the Northwestern Dispensary in the city of New York," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 2536, Int. No. 1789) entitled "An act to make the office of the county clerk of Schenectady county a salaried office and regulating the management of said office," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 1920, Int. No. 989) entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' in relation to drawing jurors," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 1999, Assembly reprint No. 2635, Int. No. 1290) entitled "An act to amend chapter two hundred and eighty-eight of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Hornellsville and to change the name thereof,' generally," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Hornell.

The Senate returned the bill (No. 1331, Assembly reprint No. 2652, Int. No. 836) entitled "An act to amend chapter sixty-three of the Laws of nineteen hundred and two, entitled 'An act to incorporate the city of Fulton,' relating to limitation of actions against the city," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Fulton.

The Senate returned the bill (No. 2470, Int. No. 1615) entitled "An act to amend the Greater New York charter, relative to the appointment of teachers in the public schools," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 2296, Int. No. 1671) entitled "An act to amend the charter of the city of New Rochelle, in relation to the salary of the clerk of the board of education," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New Rochelle.

The Senate returned the bill (No. 2172, Int. No. 1614) entitled "An act to provide for the widening of West First street, otherwise known as West Lincoln avenue, in the city of Mount Vernon, from South Eleventh avenue in said city, to the New York city line, and providing for the expense of said improvement," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Mount Vernon.

The Senate returned the bill (No. 2394, Int. No. 1186) entitled "An act to provide for the repaving or resurfacing of East Main street and Market street, in the city of Amsterdam, and to provide for meeting the expense thereof," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Amsterdam.

The Senate returned the bill (No. 2304, Int. No. 1399) entitled "An act to amend the Greater New York charter, relative to proceedings taken by commissioner of docks," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 2513, Int. No. 1775) entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of Oswego,' relative to the powers of policemen of said city," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Oswego.

The Senate returned the bill (No. 2643, Int. No. 1598) entitled "An act to authorize the grant by the city of Yonkers to the New York Central and Hudson River Railroad Company for railroad purposes of a portion of the lands granted to the city of Yonkers

by chapter five hundred and sixty-two of the Laws of eighteen hundred and ninety-nine," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Yonkers.

The Senate returned the bill (No. 1398, Int. No. 1158) entitled "An act to enable the board of police commissioners of the city of Yonkers to review, rehear and determine the charges against James McGowan, formerly a patrolman in the police department of the city of Yonkers, and to reinstate said James McGowan as a patrolman in the said police department," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Yonkers.

The Senate returned the bill (No. 824, Int. No. 759) entitled "An act to amend the Greater New York charter, relative to the distribution of moneys collected on account of taxation and constituting the relief fund in the city of New York," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 2119, Int. No. 760) entitled "An act to amend the Greater New York charter, relative to the distribution of moneys collected on account of taxation of fire insurance companies in the city of New York," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 2460, Int. No. 1752) entitled "An act to empower the common council of the city of New Rochelle to issue and sell bonds for the purpose of defraying the expense of certain public improvements," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New Rochelle.

The Senate returned the bill (No. 2631, Int. No. 1840) entitled "An act to amend chapter sixty-three of the Laws of nineteen hundred and two, entitled 'An act to incorporate the city of Fulton' in relation to the compensation of members of the fire and police departments," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Fulton.

The Senate returned the bill (No. 2336, Int. No. 1694) entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' relating to the official printing of said city," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Buffalo.

The Senate returned the bill (No. 1709, Int. No. 1351) entitled "An act to amend chapter two hundred and seventy-five of the Laws of eighteen hundred and ninety-nine, entitled 'An act to revise the charter of the city of Gloversville,' giving the common council authority to make an annual appropriation to the Nathan Littauer Hospital Association," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Gloversville.

The Senate returned the bill (No. 2000, Int. No. 1350) entitled "An act to amend chapter two hundred and seventy-five of the Laws of eighteen hundred and ninety-nine, entitled 'An act to amend chapter two hundred and seventy-five of the Laws of eighteen hundred and ninety-nine, entitled "An act to revise the charter of the city of Gloversville," in relation to the appointment of city physicians,' " with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Gloversville.

The Senate returned the bill (No. 2144, Int. No. 1253) entitled "An act to amend chapter five hundred and ninety-three of the Laws of nineteen hundred and five, entitled 'An act to revise the

charter of the city of Johnstown,' generally," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Johnstown.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1788, Senate reprint No. 1388, Int. No. 1408) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for trout in Livingston county," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1562, Senate reprint No. 1418, Int. No. 1269) entitled "An act to amend the Revised Statutes, in relation to references in insolvent debtors' proceedings," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication was received from Hon. H. H. Woodburn, mayor of the city of Binghamton, returning Assembly bill (No. 2124, Int. No. 1496) entitled "An act to amend chapter two hundred and ninety-four of the Laws of eighteen hundred and sixty-nine, entitled 'An act to incorporate the fire department of the city of Binghamton,' relative to appointment of officers and salaries of treasurer and clerk," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. John H. Coyne, mayor of the city of Yonkers, returning Assembly bill (No. 2122, Senate reprint No. 1389, Int. No. 1485) entitled "An act to amend chapter thirty-six of the Laws of eighteen hundred and seventy-three, entitled 'An act to provide for the supply of water in the city of Yonkers,' relative to the rate of interest of water bonds," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. John H. Coyne, mayor of the city of Yonkers, returning Assembly bill (No. 1697, Senate reprint No. 1381, Int. No. 1061) entitled "An act to amend chapter five hundred and ninety-six of the Laws of eighteen hundred and ninety-eight, entitled 'An act to amend chapter one hundred and sixty-three, of the Laws of eighteen hundred and seventy-three, entitled "An act to organize and establish a police department for the city of Yonkers,"' generally," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. John H. Coyne, mayor of the city of Yonkers, returning Assembly bill (No. 1521, Senate reprint No. 1386, Int. No. 1062) entitled "An act to amend title ten of chapter six hundred and thirty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Yonkers,' in relation to the care of sick and disabled poor in hospitals," with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. John H. Coyne, mayor of the city of Yonkers, returning Assembly bill (No. 1041, Senate reprint No. 1381, Int. No. 704) entitled "An act to amend chapter six hundred and thirty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Yonkers,' relating to the expense for street improvement," with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Boshart of Lewis was excused until Wednesday next.

Mr. Conrady was excused for the balance of the week.

Mr. Mance was excused until Wednesday next.

On motion of Mr. Moreland, the House adjourned.

WEDNESDAY, MAY 15, 1907.

The House met pursuant to adjournment.

Prayer by Rev. Charles E. Hamilton.

On motion of Mr. Moreland, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. Merritt gives notice that he requests that Assembly bill (No. 2719, Int. No. 1083) entitled "An act to establish the public service commissions and prescribing their powers and duties, and to provide for the regulation and control of certain public service corporations and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Fowler gives notice that he requests that Assembly bill (No. 2683, Int. No. 1859) entitled "An act to validate the tax roll and levy of the village of Pine Hill, county of Ulster, for the year nineteen hundred and seven," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Gray gives notice that he requests that Assembly bill (No. 2667, Int. No. 1857) entitled "An act to legalize and confirm the acts and proceedings of the trustees and voters of union free school district number one, town of Hammond, Saint Lawrence county, New York, relative to certain tax and issue and sale of certain bonds of said district," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Surpless gives notice that he requests that Assembly bill (No. 1620, Int. No. 1311) entitled "An act to fix and establish the annual salary of the surrogate of Kings county and repealing section two hundred and twenty-two of chapter six hundred and eighty-six of the Laws of eighteen hundred and ninety-two in so far as it relates to Kings county," a copy of which is hereto

annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. F. G. Whitney gives notice that he requests that Assembly bill (No. 2661, Int. No. 1584) entitled "An act to amend the Liquor Tax Law, in relation to excepting State hospitals from the prohibition as to places in which traffic in liquor shall not be permitted," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Apgar gives notice that he requests that Assembly bill (No. 2609, Int. No. 1362) entitled "An act to provide for an additional supply of pure and wholesome water for the village of Peekskill; for the acquisition of lands or interest therein, and for the construction of the necessary reservoir, dams and other appurtenances for that purpose," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. C. F. Murphy gives notice that he requests that the Senate bill (No. 454, Rec. No. 120) entitled "An act to provide for the fees to be charged in the office of the register of the county of Kings," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Prentice gives notice that he requests that Senate bill (No. 1425, Rec. No. 391) entitled "An act to validate a certain deed of conveyance of land in the city of New York, and authorizing the rector, church wardens and vestrymen of Saint George's church in the city of New York to convey the same to the New York Protestant Episcopal City Mission Society," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Sinclair gives notice that he requests that the Senate bill (No. 1430, Rec. No. 389) entitled "An act to amend the Gen-

eral Municipal Law, in relation to the investigation of expenditures of counties," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Duell gives notice that he requests that the Senate bill (No. 1224, Assembly reprint No. 2542, Rec. No. 263) entitled "An act to provide for preserving the waters of the Bronx river from pollution; creating a reservation of the lands on either side of the river; authorizing the taking of lands for that purpose and providing for the payment thereof, and appointing a commission to carry out the purposes of the act," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Sinclair gives notice that he requests that the Senate bill (No. 1452, Rec. No. 387) entitled "An act to amend chapter five hundred and thirty-one of the Laws of eighteen hundred and eighty-one, entitled 'An act for the protection of taxpayers,' in relation to the burden of proof in certain actions," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Stratton gives notice that he requests that the Senate bill (No. 1021, Rec. No. 95) entitled "An act to amend chapter four hundred and sixty-eight of the Laws of eighteen hundred and ninety-four, entitled 'An act to provide for the establishment of a home for the aged and dependent veteran and his wife, veterans' mothers, widows, army nurses, residents of New York,'" a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. O'Brian gives notice that he requests that Senate bill (No. 1063, Rec. No. 226) entitled "An act to provide for the selection of a site for State hospital for the insane in the southeastern part of the State, in the vicinity of the city of New York, and for receiving contracts for the sale to the State of the land so se-

lected," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Hart gives notice that he requests that the Senate bill (No. 936, Rec. No. 162) entitled "An act to amend an act entitled 'An act to provide for the acquisition of a site and the erection and furnishing of a new courthouse in the city of Utica for the use of the county of Oneida, and to provide means to defray the expense thereof, and to sell the present courthouse and site and the county clerk's office and site, situate in Utica,' as amended by chapter one hundred and thirty-two of the Laws of nineteen hundred and five," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

By unanimous consent, Mr. Boshart introduced a bill entitled "An act to amend the Agricultural Law in relation to the employment of persons having infectious or contagious disease, or who have been exposed to any infectious or contagious disease, in any dairy or creamery where milk is produced for sale or manufactured into an article of food, and to prevent the employment of any such person in connection with the distribution of milk or other dairy products" (Int. No. 1891), which was read the first time and referred to the committee on agriculture.

By unanimous consent, Mr. Lupton introduced a bill entitled "An act in relation to the acquisition by the United States of America of land for fortification purposes which includes a highway or portion thereof" (Int. No. 1892), which was read the first time and referred to the committee on ways and means.

By unanimous consent, Mr. Schulz introduced a bill entitled "An act to legalize the acts of Edward Polak, a commissioner of deeds" (Int. No. 1893), which was read the first time and referred to the committee on the judiciary.

By unanimous consent, Mr. Miller introduced a bill entitled "An act to amend chapter six hundred and eighty-six of the Laws of eighteen hundred and ninety-four, entitled, as amended, 'An act for the preservation of macadamized and other public

highways in the counties of Queens and Nassau,' by exempting certain roads from certain of the provisions thereof" (Int. No. 1894), which was read the first time and referred to the committee on internal affairs.

By unanimous consent, Mr. Prentice introduced a bill entitled "An act to incorporate the 'Tiffany Employees' Benevolent Association'" (Int. No. 1895), which was read the first time and referred to the committee on the judiciary.

By unanimous consent, Mr. Hamilton introduced a bill entitled "An act to amend chapter three hundred and ninety-six of the Laws of eighteen hundred and eighty-five, entitled 'An act to revise the charter of the city of Dunkirk,' in relation to construction of sewers, interest on deferred payments and bonds for such improvements" (Int. No. 1896), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Mills introduced a bill entitled "An act to amend the Forest, Fish and Game Law, relative to close season on grouse, woodcock and quail in Rensselaer county" (Int. No. 1897), which was read the first time and referred to the committee on fisheries and game.

By unanimous consent, Mr. Mooney introduced a bill entitled "An act to amend the Greater New York charter, in relation to the police department of the city of New York" (Int. No. 1898), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Prentice introduced a bill entitled "An act to amend section thirty-three of the Forest, Fish and Game Law, relating to certain varieties of European birds" (Int. No. 1899), which was read the first time and referred to the committee on fisheries and game.

By unanimous consent, Mr. F. G. Whitney introduced a bill entitled "An act to amend the Liquor Tax Law in relation to the definition of trafficking in liquors" (Int. No. 1900), which was read the first time and referred to the committee on excise.

By unanimous consent, Mr. Rogers introduced a bill entitled "An act to amend the Election Law, in relation to filling of vacancies in elective offices" (Int. No. 1901), which was read the first time and referred to the committee on the judiciary.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Merritt (No. 2719, Int. No. 1083) entitled "An act to establish the public service commissions and prescribing their powers and duties, and to provide for the regulation and control of certain public service corporations and making an appropriation therefor."

Also, Assembly bill introduced by Mr. Fowler (No. 2683, Int. No. 1859) entitled "An act to validate the tax roll and levy of the village of Pine Hill, county of Ulster, for the year nineteen hundred and seven."

Also, Assembly bill introduced by Mr. Gray (No. 2667, Int. No. 1857) entitled "An act to legalize and confirm the acts and proceedings of the trustees and voters of union free school district number one, town of Hammond, Saint Lawrence county, New York, relative to certain tax and issue and sale of certain bonds of said district," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Surpless (No. 1620, Int. No. 1311) entitled "An act to fix and establish the annual salary of the surrogate of Kings county and repealing section two hundred and twenty-two of chapter six hundred and eighty-six of the Laws of eighteen hundred and ninety-two in so far as it relates to Kings county."

Also, Assembly bill introduced by Mr. F. G. Whitney (No. 2661, Int. No. 1584) entitled "An act to amend the Liquor Tax Law, in relation to excepting State hospitals from the prohibition as to places in which traffic in liquor shall not be permitted."

Also, Assembly bill introduced by Mr. Apgar (No. 2609, Int. No. 1362) entitled "An act to provide for an additional supply of pure and wholesome water for the village of Peekskill; for the acquisition of lands or interest therein, and for the construction

of the necessary reservoir, dams and other appurtenances for that purpose."

Also, Assembly bill introduced by Mr. Dowling (No. 2692, Int. No. 954) entitled "An act to amend the Greater New York charter, relative to the police pension fund," reported in favor of the passage of the same without amendment, and that the same be made a special order on third reading immediately, which report was agreed to, and said bills ordered made special orders on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Foelker (No. 454, Rec. No. 120) entitled "An act to provide for the fees to be charged in the office of the register of the county of Kings."

Also, Senate bill introduced by Mr. Smith (No. 1430, Rec. No. 389) entitled "An act to amend the General Municipal Law, in relation to the investigation of expenditures of counties."

Also, Senate bill introduced by Mr. Tully (No. 1425, Rec. No. 391) entitled "An act to validate a certain deed of conveyance of land in the city of New York, and authorizing the rector, churchwardens and vestrymen of Saint George's church in the city of New York to convey the same to the New York Protestant Episcopal City Mission Society."

Also, Senate bill introduced by Mr. Agnew (No. 1224, Assembly reprint No. 2542, Rec. No. 263) entitled "An act to provide for preserving the waters of the Bronx river from pollution; creating a reservation of the lands on either side of the river; authorizing the taking of lands for that purpose and providing for the payment thereof, and appointing a commission to carry out the purposes of the act."

Also, Senate bill introduced by Mr. Smith (No. 1452, Rec. No. 387) entitled "An act to amend chapter five hundred and thirty-one of the Laws of eighteen hundred and eighty-one, entitled 'An act for the protection of taxpayers,' in relation to the burden of proof in certain actions."

Also, Senate bill introduced by Mr. Allds (No. 1021, Rec. No. 180) entitled "An act to amend chapter four hundred and sixty-eight of the Laws of eighteen hundred and ninety-four, entitled 'An act to provide for the establishment of a home for the aged

and dependent veteran and his wife, veterans' mothers, widows, and army nurses, residents of New York."

Also, Senate bill introduced by Mr. Armstrong (No. 1063, Rec. No. 226) entitled "An act to provide for the selection of a site for a State Hospital for the Insane in the southeastern part of the State, in the vicinity of the city of New York, and for securing contracts for the sale to the State of the lands so selected," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill introduced by Mr. Ackroyd (No. 936, Rec. No. 162) entitled "An act to amend an act entitled 'An act to provide for the acquiring of a site and the erection and furnishing of a new courthouse in the city of Utica for the use of the county of Oneida, and to provide means to defray the expense thereof and to sell the present courthouse and site and the county clerk's office and site, situate in Utica,' as amended by chapter one hundred and thirty-two of the Laws of nineteen hundred and five," reported the same with the following amendments:

Page 2, line 8, strike out "finishing" and insert in place thereof "furnishing".

Page 2, line 12, strike out "one million" and insert in place thereof "nine hundred", and after the word "twenty" insert "-five".

Page 2, line 13, strike out "it shall be the duty of" and in place thereof insert "the".

Page 2, line 14, strike out "to", insert "shall"; same line, strike out "may", insert "shall".

Page 2, line 15, after the word "furniture" insert the words "including metal furniture".

Page 2, line 16, beginning with the word "Said" strike out all to and including the word "lot" in line 21, and insert in place thereof the following: "The board of supervisors of Oneida county are hereby authorized to provide proper sidewalks around

the lot occupied by said court house, whenever the same are necessary, and other walks upon said lot whenever the same are necessary and to grade said lot properly, protect the same by curbs or walls or otherwise, and properly ornament said lot; and for these purposes only, said commission shall permit said board of supervisors, their committee, committees or employees, to enter upon said lot at any time after the passage of this act. The cost of providing such sidewalks and other walks, of grading, protecting and ornamenting said lot, shall be a county charge to be audited and paid in the same manner as other charges against the county of Oneida. When said commission shall have expended the nine hundred and twenty-five thousand dollars, authorized in this section to be expended, it shall be deemed to have completed its duties."

Page 3, line 13, strike out "thirteen", insert in place thereof "five".

Page 3, line 14, strike out "one hundred" and after "fifty" insert "-five".

Page 3, line 9, after "at" insert "not exceeding", and after "the" insert "legal", and in lines 9 and 10 strike out "of three and one-half per centum".

and requests that said bill be reprinted, as amended, and recommitted to said committee.

Which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. West, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Penal Code by adding a section to be known as section one hundred and eleven-a, making it a misdemeanor to disobey a subpoena in a criminal action or proceeding." (No. 2673, Int. No. 175.)

"An act to provide for enumeration of the inhabitants of the village of Red Hook and for refunding excessive excise taxes, collected in such village on an erroneous basis of population." (No. 2150, Int. No. 1591.)

"An act to amend the Liquor Tax Law, in relation to definitions; bonds to be given; revocation and cancellation of liquor tax certificates; injunction proceedings; illegal sales and selling; definition of 'hotel' and 'guest'; exceptions; special liquor tax certificates in cities of the first and second class." (No. 2681, Int. No. 1554.)

"An act to provide for an additional supply of pure and wholesome water for the village of Peekskill; for the acquisition of lands or interest therein, and for the construction of the necessary reservoir, dams and other appurtenances for that purpose." (No. 2609, Int. No. 1362.)

Mr. Moreland moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Allen	Dowling	Hamn	Mooney	Smith Myron
Apgar	Draper	Harawitz	Moreland	Staley
Averill	Dudley	Harper	Morgan	Stanton
Baldwin	Duell	Harris	Murphy C F	Stern
Baumann	Eagleton	Hart	Murphy G W	Stevenson
Blue	Eggleston	Hastings	Ne vins	Stratton
Bohan	Eichhorn	Holmes	Newton	Surplless
Boshart	Ferguson	Hooper	Northrup	Volk
Brady	Feth	Hubbs	O'Brian	Voss
Brooks	Filley	Hurd	Oliver	Waddell
Brough	Foley C F	Huth	Parker	Wagner
Brown	Foley J A	Jackson	Patton	Wainwright
Buckley	Fowler	Keller	Phillips	Walters
Burhyte	Francis	Lansing	Prentice	Waters
Burzynski	Frisbie	Lee	Ralston	Weber
Cavanaugh	Ganly	Lewis	Reece	Weimert
Chamberlain	Garbe	Lowe	Robinson	Wells
Cole	Geoghagan	Lupton	Rogers	West
Collins	Glynn	Maher	Schmidt	Whitley
Colné	Goldberg	Mallon	Schoeneck	Whitney F G
Conklin	Green	Marlatt	Schulz	Whitney G H
Croak	Gunderman	Matthews	Sheridan	Winters
Cuvillier	Hackett	McCue	Shuttleworth	Wood
De Groot	Haines	Merritt	Sinclair	Yale
Dobbs	Hamilton	Miller	Smith A E	Young
Dominy	Hammond	Mills	Smith C	

Mr. Moreland moved that all further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the bill (No. 2695) entitled "An act to amend the Primary Election Law, relative to annual primary day." (Int. No. 1810.)

On motion of Mr. Prentice, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 4

Those who voted in the affirmative were:

Allen	Dowling	Haines	Merritt	Smith A E
Apgar	Draper	Hamilton	Miller	Smith C
Baldwin	Dudley	Hammond	Mills	Smith Myron
Baumann	Duell	Harawitz	Mooney	Staley
Blue	Eagleton	Harper	Moreland	Stern
Bohan	Eggleston	Harris	Murphy C F	Stevenson
Boshart	Eichhorn	Hart	Murphy G W	Stratton
Brady	Farrell	Hastings	Nevins	Surpless
Brooks	Ferguson	Hoey	Newton	Todd
Brough	Feth	Holmes	Northrup	Volk
Brown	Filley	Hooper	Norton	Waddell
Buckley	Flanagan	Hubbs	O'Brian	Wagner
Burhyte	Foley C F	Hurd	Oliver	Wainwright
Burns	Foley J A	Huth	Patton	Walters
Burzynski	Fowler	Jacobs	Phillips	Waters
Cavanaugh	Francis	Keller	Prentice	Weber
Cole	Ganly	Lansing	Ralston	Weimert
Collins	Garbe	Lee	Reece	Wells
Colné	Geoghagan	Lewis	Rogers	West
Conklin	Glore	Lupton	Schmidt	Whitley
Croak	Gluck	Maher	Schoeneck	Whitney F G
Cunningham	Glynn	Mallon	Schulz	Whitney G H
Cuvillier	Goldberg	Marlatt	Sheridan	Winters
De Groot	Green	Matthews	Shuttleworth	Wood
Dobbs	Gunderman	McCue	Sinclair	Young
Dominy	Hackett			

Those who voted in the negative were:

Chamberlain	Jackson	Lowe	Parker
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Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2696) entitled "An act to amend the Public Health Law, in relation to adulteration and misbranding of drugs and liquors" (Int. No. 1566). Said bill having been announced for a second reading,

On motion of Mr. Wainwright, and by unanimous consent, said bill was made a special order on second and third reading for Thursday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the Senate bill (No. 1359, Assembly reprint No. 2694) entitled "An act to amend chapter three hundred and twenty-one of the Laws of eighteen hundred and ninety-eight, entitled 'An act to make the office of sheriff of Oneida county a salaried office, and to regulate the management thereof,' relative to the appointment and compensation of an office deputy." (Rec. No. 332.)

On motion of Mr. Hart, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Haines	McCue	Sinclair
Apgar	Draper	Hamilton	Merritt	Smith A E
Baldwin	Dudley	Hammond	Miller	Smith C
Baumann	Duell	Harawitz	Mills	Smith Myron
Blue	Eagleton	Harper	Mooney	Stanley
Bohan	Eggleston	Harris	Moreland	Stern
Boshart	Eichhorn	Hart	Murphy C F	Stevenson
Brady	Farrell	Hastings	Murphy G W	Stratton
Brooks	Ferguson	Hoey	Nevins	Surpless
Brough	Feth	Holmes	Newton	Todd
Brown	Filley	Hooper	Northrup	Volk
Buckley	Flanagan	Hubbs	Norton	Waddell
Burhyte	Foley C F	Hurd	O'Brian	Wagner
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jackson	Parker	Walters
Cavanaugh	Francis	Jacobs	Patton	Waters
Chamberlain	Ganly	Keller	Phillips	Weber
Cole	Garbe	Lansing	Prentice	Weimert
Collins	Geoghagan	Lee	Ralston	Wells
Colne	Glore	Lewis	Reece	West
Conklin	Gluck	Lowe	Rogers	Whitley
Croak	Glynn	Lupton	Schmidt	Whitney F G
Cunningham	Goldberg	Maher	Schoeneck	Whitney G H
Cuvillier	Green	Mallon	Schulz	Winters
De Groot	Gunderman	Marlatt	Sheridan	Wood
Dobbs	Hackett	Matthews	Shuttleworth	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the Senate bill (No. 1228, Assembly reprint No. 2693) entitled "An act to provide for the continuance of the index systems now employed by the county clerk and the surrogate of Oneida county to cover the entire files of papers in their respective offices, and for the removal of the files and records kept in those offices to the new county building in the city of Utica, and to provide for the expenses thereof" (Rec. No. 334). Said bill having been announced for a second reading,

On motion of Mr. Weimert, and by unanimous consent, said bill was made a special order on second and third reading for Thursday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the Senate bill (No. 837, Assembly reprint No. 2697) entitled "An act to amend the Greater New York charter, in relation to inferior courts of criminal jurisdiction" (Rec. No. 225). Said bill having been announced for a second reading,

On motion of Mr. DeGroot, said bill was recommitted to the committee on rules, retaining its place on the order of second reading.

Mr. Speaker announced the special order, being the Senate bill (No. 1224, Assembly reprint No. 2542) entitled "An act to provide for preserving the waters of the Bronx river from pollution; creating a reservation of the lands on either side of the river; authorizing the taking of lands for that purpose and providing for the payment thereof, and appointing a commission to carry out the purposes of the act" (Rec. No. 263). Said bill having been announced for second reading, Mr. Cuvillier moved to amend as follows:

On page 18, strike out the words on lines 9, 10, 11 and 12, down to and including the words "county of Westchester," and insert the following words:

"§ 2. Harold E. Nagle, a resident of the county of New York, Madison Grant, a resident of the county of New York, and James G. Cannon, a resident of the county of Westchester and".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

On motion of Mr. Prentice, said bill was then read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Haines	McCue	Sinclair
Apgar	Draper	Hamilton	Merritt	Smith A E
Baldwin	Dudley	Hammond	Miller	Smith C
Baumann	Duell	Harawitz	Mills	Smith Myron
Blue	Eagleton	Harper	Mooney	Staley
Bohan	Eggleston	Harris	Moreland	Stern
Boshart	Eichhorn	Hart	Murphy C F	Stevenson
Brady	Farrell	Hastings	Murphy G W	Stratton
Brooks	Ferguson	Hoey	Nevins	Surplless
Brough	Feth	Holmes	Newton	Todd
Brown	Filley	Hooper	Northrup	Volk
Buckley	Flanagan	Hubbs	Norton	Waddell
Burhyte	Foley C F	Hurd	O'Brian	Wagner
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jackson	Parker	Walters
Cavanaugh	Francis	Jacobs	Patton	Waters
Chamberlain	Ganly	Keller	Phillips	Weber
Cole	Garbe	Lansing	Prentice	Weimert
Collins	Geoghagan	Lee	Ralston	Wells
Colné	Glore	Lewis	Reece	West
Conklin	Gluck	Lowe	Rogers	Whitley
Croak	Glynn	Lupton	Schmidt	Whitney F G
Cunningham	Goldberg	Maher	Schoeneck	Whitney G H
Cuvillier	Gray	Mallon	Schulz	Winters
De Groot	Green	Marlatt	Sheridan	Wood
Dobbs	Gunderman	Matthews	Shuttleworth	Young
Dominy	Hackett			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the bill (No. 2683) entitled "An act to validate the tax roll and levy of the

village of Pine Hill, county of Ulster, for the year nineteen hundred and seven." (Int. No. 1859.)

On motion of Mr. Fowler, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Haines	McCue	Sinclair
Apgar	Draper	Hamilton	Merritt	Smith A E
Baldwin	Dudley	Hammond	Miller	Smith C
Baumann	Duell	Harawitz	Mills	Smith Myron
Blue	Eagleton	Harper	Mooney	Staley
Bohan	Eggleston	Harris	Moreland	Stern
Boshart	Eichhorn	Hart	Murphy C F	Stevenson
Brady	Farrell	Hastings	Murphy G W	Stratton
Brooks	Ferguson	Hoey	Nevins	Surpless
Brough	Feth	Holmes	Newton	Todd
Brown	Filley	Hooper	Northrup	Volk
Buckley	Flanagan	Hubbs	Norton	Waddell
Burhyte	Foley C F	Hurd	O'Brian	Wagner
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jackson	Parker	Walters
Cavanaugh	Francis	Jacobs	Patton	Waters
Chamberlain	Ganly	Keller	Phillips	Weber
Cole	Garbe	Lansing	Prentice	Weimert
Collins	Geoghagan	Lee	Ralston	Wells
Colné	Glore	Lewis	Reece	West
Conklin	Gluck	Lowe	Rogers	Whitley
Croak	Glynn	Lupton	Schmidt	Whitney F G
Cunningham	Goldberg	Maher	Schoeneck	Whitney G H
Cuvillier	Green	Mallon	Schulz	Winters
De Groot	Gunderman	Marlatt	Sheridan	Wood
Dobbs	Hackett	Matthews	Shuttleworth	Young
Dominy				

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2667) entitled "An act to legalize and confirm the acts and proceedings of the trustees and voters of union free school district number one, town of Hammond, Saint Lawrence county, New

York, relative to certain tax and issue and sale of certain bonds of said district." (Int. No. 1857.)

On motion of Mr. Gray, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Haines	McCue	Sinclair
Apgar	Draper	Hamilton	Merritt	Smith A E
Baldwin	Dudley	Hammond	Miller	Smith C
Baumann	Duell	Harawitz	Mills	Smith Myron
Blue	Eagleton	Harper	Mooney	Stanley
Bohan	Eggleston	Harris	Moreland	Stern
Boshart	Eichhorn	Hart	Murphy C F	Stevenson
Brady	Farrell	Hastings	Murphy G W	Stratton
Brooks	Ferguson	Hoey	Nevins	Surpless
Brough	Feth	Holmes	Newton	Todd
Brown	Filley	Hooper	Northrup	Volk
Buckley	Flanagan	Hubbs	Norton	Waddell
Burhyte	Foley C F	Hurd	O'Brian	Wagner
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jackson	Parker	Walters
Cavanaugh	Francis	Jacobs	Patton	Waters
Chamberlain	Ganly	Keller	Phillips	Weber
Cole	Garbe	Lansing	Prentice	Weimert
Collins	Geoghagan	Lee	Ralston	Wells
Colne	Glore	Lewis	Reece	West
Conklin	Gluck	Lowe	Rogers	Whitley
Croak	Glynn	Lupton	Schmidt	Whitney F G
Cunningham	Goldberg	Maher	Schoeneck	Whitney G H
Cuvillier	Green	Mallon	Schulz	Winters
De Groot	Gunderman	Marlatt	Sheridan	Wood
Dobbs	Hackett	Matthews	Shuttleworth	Young
Dominy				

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2719) entitled "An act to establish the public service commissions and prescribing their powers and duties, and to provide for the

regulation and control of certain public service corporations and making an appropriation therefor." (Int. No. 1083.)

Said bill having been announced for second reading, Mr. Stern moved to amend as follows:

Amend section 2, line 19, page 3, by inserting after the words "joint stock association" the following: "but shall not include a municipal corporation".

Mr. Wagner moved to amend as follows:

Strike out section 4, and in place thereof substitute the following section:

"Section 4. Commission established; election of; removal; terms of office; vacancies, how filled.—There shall be a public service commission for each district, and each shall possess the powers and duties hereinafter specified, and also all powers necessary or proper to enable it to carry out the purposes of this act. The commission of the first district shall consist of five members, who shall be elected by the electors of the first district as hereinbefore created, and shall hold office for four years.

The commission of the second district shall consist of five members, who shall be elected by the electors of the second district as hereinbefore created, and shall hold office for four years.

At the annual election of 1907 five commissioners shall be elected in the first district and five commissioners in the second district, who shall take office on the first day of January, 1908.

The said commissioners shall meet on the first Monday in January in the city of Albany and organize by electing one of their members chairman. Vacancies shall be filled by the appointment for the unexpired term of the Governor by and with the advice and consent of the Senate.

Said commissioners shall not engage in any other business, vocation or employment, but shall devote their entire time to the duties of their office.

Mr. A. E. Smith moved to amend as follows:

Insert after the word "members" on line 16, page 6, the following words "to be appointed by the mayor of the city of New York one of whom designated by the mayor shall during his term of office be the chairman of the commission".

Insert after the word "governor" on page 6, line 23, the words "or mayor".

Insert after the word "commissioner" on page 6, line 23, the words "appointed by them".

Insert on page 7, line 2, after the word "governor" the words "or mayor".

Mr. Hackett moved to amend as follows:

Strike out the word "be" on page 6, line 21.

Insert after the word "shall" on line 21, page 6, the words "have been at least for five years".

Mr. Keller moved to amend as follows:

On pages 9 and 10, strike out all section 6, except the title, so that it will read as follows:

"§ 6. Counsel to the commissions.— The attorney-general shall be counsel to the commissions and shall have the power to appoint, and at pleasure remove, attorneys and counselors-at-law to assist him in the performance of his duties and also to employ and remove stenographers and process servers."

Mr. J. A. Foley moved to amend as follows:

On pages 13 and 14, strike out all of subdivision 1 of section 14.

On page 15, strike out the word "second" on line 1 and insert in place thereof the word "each".

Mr. Jackson moved to amend as follows:

Page 16, line 10, strike out word "or".

Page 16, line 11, after word "corporation" insert "gas corporation of electric corporation".

Mr. Bohan moved to amend as follows:

That section 31 be amended by adding at the end thereof "From and after the first day of May, nineteen hundred and eight, it shall be unlawful for any railroad company or common carrier, subject to the provisions of this act, to transport any article or commodity, other than timber and the manufactured product thereof, manufactured, mined or produced by it, or under its authority, or which it may own in whole, or in part, or in which it may have any interest, direct or indirect, except such articles or commodities as may be necessary or intended for its use in the conduct of its business as a common carrier".

Mr. Harawitz moved to amend as follows:

On page 51, line 13, after the word "foreign" strike out the words "other than a railroad corporation or street railroad corporation".

On page 68, line 20, after the word "foreign" strike out the words "other than a gas or electric corporation".

Mr. Stratton moved to amend as follows:

That section 70 be amended by striking out in line 22, page 68, the words "More than ten per centum." and insert in place thereof "any", and in line 22, after the word "the" by striking out the word "total".

Mr. Glynn moved to amend as follows:

That section 86 be amended by adding at the end thereof the following: "Nor shall this act be construed to prevent or restrict employees of a common carrier, or persons seeking such employment, from associating or co-operating for the purpose of obtaining an advance in the rate of wages or compensation, for maintaining such rate, for regulating the hours of labor, or for the protection and welfare of such persons; nor shall it be construed to authorize or empower any court or the commission to make any order or direction requiring such employees or persons to continue in the employment of the common carrier, or to return to such employment in case any of them shall have quit work or resigned".

Mr. Dobbs moved to amend as follows:

On page 23, strike out lines 8 to 13, inclusive.

Mr. Eagleton moved to amend as follows:

That section 89 be amended so as to read as follows:

"Section 89. This act shall take effect on the first day of January, nineteen hundred and eight, except such parts as relate to the election of the commissioners, which part shall take effect immediately."

Mr. Stern moved to amend as follows:

Amend section 68, by striking out after the word "authorities" on line 4, page 66, the words "no municipality shall build, maintain and operate for other than municipal purposes any works or systems for the manufacture and supply of gas or electricity for lighting purposes without a certificate of authority granted by the commission."

Mr. Cuvillier moved to amend as follows:

On page 12, line 6, after the word "commission", insert the following words: "subject to review by the appellate division, and on leave by said appellate division, either on the facts or the law to the court of appeals for final decision."

On page 13, lines 13 and 14, strike out the following words: "state treasurer" and insert the following words: "the comptroller of the city of New York".

On page 16, line 10, after the word "carrier" insert the following words: "telephone, telegraph and express business".

On page 20, line 19, strike out the word "not".

On page 21, line 14, after the word "commission", strike out the words "shall be preferred" and all of lines 15, 16, 17, 18, 19, 20 and 21.

On page 22, line 17, after the word "order" insert the following words: "excepting that the person, party, corporation, association or copartnership shall have the right to appeal to the appellate division and the court of appeals to a review of the rehearing before said commission, either as to the law or facts contained in said order".

On page 26, line 3, after the word "connection", insert the following words: "with the right of review by the appellate division and the court of appeals on the facts and the law".

On page 28, line 8, after the word "effect" insert the following words "with the right of review by the appellate division and the court of appeals on the law and facts".

On page 30, line 18, after the word "disabled" insert the following words "United States".

On page 34, line 9, after the word "direct" insert the following words "with right of review by the appellate division and the court of appeals, on the question of law and fact".

On page 36, line 1, after the word "transportation" insert the following words "and shall be liable for loss, damage or injury caused by the transfer of freight or property from the common carrier who issues a receipt or bill of lading for freight or property at the time of its delivery to be transported to its destination, either wholly or in part by the common carrier or railroad issuing the receipt or bill of lading to a railroad or common carrier other than that of the common carrier or railroad receiving the transportation of said freight or property".

On page 40, line 12, after the word "corporation" insert the following words "telephone, telegraph and express business".

On page 40, line 13, after the word "governor" insert "the mayor of the city of New York".

Mr. Speaker put the question whether the House would agree to said motion of Mr. Stern, and it was determined in the negative.

AYES 46

NOES 93

Those who voted in the affirmative were:

Baumann	Eagleton	Gluck	Jacobs	Schulz
Bohan	Farrell	Goldberg	Keller	Schwegler
Buckley	Fay	Hackett	Loos	Sheridan
Burns	Feth	Harawitz	Mallon	Smith A E
Burzynski	Foley C F	Harper	McCue	Stern
Cavanaugh	Foley J A	Hoey	Mooney	Stratton
Croak	Ganly	Holmes	Northrup	Todd
Cuvillier	Garbe	Huth	Oliver	Wagner
Dobbs	Geoghagan	Jackson	Schmidt	Walters
Donnelly				

Those who voted in the negative were:

Allen	Dowling	Hastings	Nevins	Stevenson
Apgar	Draper	Hooper	Newton	Surpless
Averill	Dudley	Hubbs	O'Brian	Volk
Baldwin	Duell	Hurd	Parker	Voss
Blue	Eggleston	Lansing	Patton	Waddell
Boshart	Eichhorn	Lee	Phillips	Wainwright
Brady	Ferguson	Lewis	Prentice	Waters
Brooks	Filley	Lowe	Ralston	Weber
Brough	Fowler	Lupton	Reece	Weimert
Brown	Francis	Maher	Robinson	Wells
Burhyte	Frisbie	Marlatt	Rogers	West
Chamberlain	Green	Matthews	Schoeneck	Whitley
Cole	Gunderman	Merritt	Shuttleworth	Whitney F G
Collins	Haines	Miller	Sinclair	Whitney G H
Colne	Hamilton	Mills	Smith C	Winters
Conklin	Hammond	Moreland	Smith Myron	Wood
Cunningham	Hamm	Morgan	Staley	Yale
De Groot	Harris	Murphy C F	Stanton	Young
Dominy	Hart	Murphy G W		

Mr. Speaker put the question whether the House would agree to said motion of Mr. Wagner, and it was determined in the negative.

AYES 46

NOES 93

Those who voted in the affirmative were:

Baumann	Eagleton	Gluck	Jacobs	Schulz
Bohan	Farrell	Goldberg	Keller	Schwegler
Buckley	Fay	Hackett	Loos	Sheridan
Burns	Feth	Harawitz	Mallon	Smith A E
Burzynski	Foley C F	Harper	McCue	Stern
Cavanaugh	Foley J A	Hoey	Mooney	Stratton
Croak	Ganly	Holmes	Northrup	Todd
Cuvillier	Garbe	Huth	Oliver	Wagner
Dobbs	Geoghagan	Jackson	Schmidt	Walters
Donnelly				

Those who voted in the negative were:

Allen	Dowling	Hastings	Nevins	Stevenson
Apgar	Draper	Hooper	Newton	Surpluss
Averill	Dudley	Hubbs	O'Brian	Volk
Baldwin	Duell	Hurd	Parker	Voss
Blue	Eggleston	Lansing	Patton	Waddell
Boshart	Eichhorn	Lee	Phillips	Wainwright
Brady	Ferguson	Lewis	Prentice	Waters
Brooks	Filley	Lowe	Ralston	Weber
Brough	Fowler	Lupton	Reece	Weimert
Brown	Francis	Maher	Robinson	Wells
Burhyte	Frisbie	Marlatt	Rogers	West
Chamberlain	Green	Matthews	Schoeneck	Whitley
Cole	Gunderman	Merritt	Shuttleworth	Whitney F G
Collins	Haines	Miller	Sinclair	Whitney G H
Colné	Hamilton	Mills	Smith C	Winters
Conklin	Hammond	Moreland	Smith Myron	Wood
Cunningham	Hamn	Morgan	Staley	Yale
De Groot	Harris	Murphy C F	Stanton	Young
Dominy	Hart	Murphy G W		

Mr. Speaker put the question whether the House would agree to said motion of Mr. A. E. Smith, and it was determined in the negative.

AYES 46

NOES 93.

Those who voted in the affirmative were:

Baumann	Eagleton	Gluck	Jacobs	Schulz
Bohan	Farrell	Goldberg	Keller	Schwegler
Buckley	Fay	Hackett	Loos	Sheridan
Burns	Feth	Harawitz	Mallon	Smith A E
Burzynski	Foley C F	Harper	McCue	Stern
Cavanaugh	Foley J A	Hoey	Mooney	Stratton
Croak	Ganly	Holmes	Northrup	Todd
Cuvillier	Garbe	Huth	Oliver	Wagner
Dobbs	Geoghagan	Jackson	Schmidt	Walters
Donnelly				

Those who voted in the negative were:

Allen	Dowling	Hastings	Nevins	Stevenson
Apgar	Draper	Hooper	Newton	Surpluss
Averill	Dudley	Hubbs	O'Brian	Volk
Baldwin	Duell	Hurd	Parker	Voss
Blue	Eggleston	Lansing	Patton	Waddell
Boshart	Eichhorn	Lee	Phillips	Wainwright
Brady	Ferguson	Lewis	Prentice	Waters
Brooks	Filley	Lowe	Ralston	Weber
Brough	Fowler	Lupton	Reece	Weimert
Brown	Francis	Maher	Robinson	Wells
Burhyte	Frisbie	Marlatt	Rogers	West
Chamberlain	Green	Matthews	Schoeneck	Whitley
Cole	Gunderman	Merritt	Shuttleworth	Whitney F G
Collins	Haines	Miller	Sinclair	Whitney G H
Colné	Hamilton	Mills	Smith C	Winters
Conklin	Hammond	Moreland	Smith Myron	Wood
Cunningham	Hamn	Morgan	Staley	Yale
De Groot	Harris	Murphy C F	Stanton	Young
Dominy	Hart	Murphy G W		

Mr. Speaker put the question whether the House would agree to said motion of Mr. Hackett, and it was determined in the negative.

AYES 46

NOES 93

Those who voted in the affirmative were:

Baumann	Eagleton	Gluck	Jacobs	Schulz
Bohan	Farrell	Goldberg	Keller	Schwegler
Buckley	Fay	Hackett	Loos	Sheridan
Burns	Feth	Harawitz	Mallon	Smith A E
Burzynski	Foley C F	Harper	McCue	Stern
Cavanaugh	Foley J A	Hoey	Mooney	Stratton
Cuvillier	Ganly	Holmes	Northrup	Todd
Croak	Garbe	Huth	Oliver	Wagner
Dobbs	Geoghagan	Jackson	Schmidt	Walters
Donnelly				

Those who voted in the negative were:

Allen	Dowling	Hastings	Nevins	Stevenson
Appar	Draper	Hooper	Newton	Surpless
Averill	Dudley	Hubbs	O'Brian	Volk
Baldwin	Duell	Hurd	Parker	Voss
Blue	Eggleston	Lansing	Patton	Waddell
Boshart	Eichhorn	Lee	Phillips	Wainwright
Brady	Ferguson	Lewis	Prentice	Waters
Brooks	Filley	Lowe	Ralston	Weber
Brough	Fowler	Lupton	Reece	Weimert
Brown	Francis	Maher	Robinson	Wells
Burhyte	Frisbie	Marlatt	Rogers	West
Chamberlain	Green	Matthews	Schoeneck	Whitley
Cole	Gunderman	Merritt	Shuttleworth	Whitney F G
Collins	Haines	Miller	Sinclair	Whitney G H
Colne	Hamilton	Mills	Smith C	Winters
Conklin	Hammond	Moreland	Smith Myron	Wood
Cunningham	Hamn	Morgan	Staley	Yale
De Groot	Harris	Murphy C F	Stanton	Young
Dominy	Hart	Murphy G W		

Mr. Speaker put the question whether the House would agree to said motion of Mr. Keller, and it was determined in the negative.

AYES 46

NOES 93

Those who voted in the affirmative were:

Baumann	Eagleton	Gluck	Jacobs	Schulz
Bohan	Farrell	Goldberg	Keller	Schwegler
Buckley	Fay	Hackett	Loos	Sheridan
Burns	Feth	Harawitz	Mallon	Smith A E
Burzynski	Foley C F	Harper	McCue	Stern
Cavanaugh	Foley J A	Hoey	Mooney	Stratton
Croak	Ganly	Holmes	Northrup	Todd
Cuvillier	Garbe	Huth	Oliver	Wagner
Dobbs	Geoghagan	Jackson	Schmidt	Walters
Donnelly				

Those who voted in the negative were:

Allen	Dowling	Hastings	Nevins	Stevenson
Apgar	Draper	Hooper	Newton	Surpluss
Averill	Dudley	Hubbs	O'Brian	Volk
Baldwin	Duell	Hurd	Parker	Voss
Blue	Eggleston	Lansing	Patton	Waddell
Boshart	Eichhorn	Lee	Phillips	Wainwright
Brady	Ferguson	Lewis	Prentice	Waters
Brooks	Filley	Lowe	Ralston	Weber
Brough	Fowler	Lupton	Reece	Weimert
Brown	Francis	Maher	Robinson	Wells
Burhyte	Frisbie	Marlatt	Rogers	West
Chamberlain	Green	Matthews	Schoeneck	Whitley
Cole	Gunderman	Merritt	Shuttleworth	Whitney F G
Collins	Haines	Miller	Sinclair	Whitney G H
Colné	Hamilton	Mills	Smith C	Winters
Conklin	Hammond	Moreland	Smith Myron	Wood
Cunningham	Hamm	Morgan	Staley	Yale
De Groot	Harris	Murphy C F	Stanton	Young
Dominy	Hart	Murphy G W		

Mr. Speaker put the question whether the House would agree to said motion of Mr. J. A. Foley, and it was determined in the negative.

AYES 46.

NOES 93

Those who voted in the affirmative were:

Baumann	Eagleton	Gluck	Jacobs	Schulz
Bohan	Farrell	Goldberg	Keller	Schwegler
Buckley	Fay	Hackett	Loos	Sheridan
Burns	Feth	Harawitz	Mallon	Smith A E
Burzynski	Foley C F	Harper	McCue	Stern
Cavanaugh	Foley J A	Hoey	Mooney	Stratton
Croak	Ganly	Holmes	Northrup	Todd
Cuvillier	Garbe	Huth	Oliver	Wagner
Dobbs	Geoghagan	Jackson	Schmidt	Walters
Donnelly				

Those who voted in the negative were:

Allen	Dowling	Hastings	Nevins	Stevenson
Apgar	Draper	Hooper	Newton	Surpluss
Averill	Dudley	Hubbs	O'Brian	Volk
Baldwin	Duell	Hurd	Parker	Voss
Blue	Eggleston	Lansing	Patton	Waddell
Boshart	Eichhorn	Lee	Phillips	Wainwright
Brady	Ferguson	Lewis	Prentice	Waters
Brooks	Filley	Lowe	Ralston	Weber
Brough	Fowler	Lupton	Reece	Weimert
Brown	Francis	Maher	Robinson	Wells
Burhyte	Frisbie	Marlatt	Rogers	West
Chamberlain	Green	Matthews	Schoeneck	Whitley
Cole	Gunderman	Merritt	Shuttleworth	Whitney F G
Collins	Haines	Miller	Sinclair	Whitney G H
Colné	Hamilton	Mills	Smith C	Winters
Conklin	Hammond	Moreland	Smith Myron	Wood
Cunningham	Hamm	Morgan	Staley	Yale
De Groot	Harris	Murphy C F	Stanton	Young
Dominy	Hart	Murphy G W		

Mr. Speaker put the question whether the House would agree to said motion of Mr. Jackson, and it was determined in the negative.

AYES 46

NOES 93

Those who voted in the affirmative were:

Baumann	Eagleton	Gluck	Jacobs	Schulz
Bohan	Farrell	Goldberg	Keller	Schwegler
Buckley	Fay	Hackett	Loos	Sheridan
Burns	Feth	Harawitz	Mallon	Smith A E
Burzynski	Foley C F	Harper	McCue	Stern
Cavanaugh	Foley J A	Hoey	Mooney	Stratton
Croak	Ganly	Holmes	Northrup	Todd
Cuvillier	Garbe	Huth	Oliver	Wagner
Dobbs	Geoghagan	Jackson	Schmidt	Walters
Donnelly				

Those who voted in the negative were:

Allen	Dowling	Hastings	Nevins	Stevenson
Apgar	Draper	Hooper	Newton	Surpluss
Averill	Dudley	Hubbs	O'Brian	Volk
Baldwin	Duell	Hurd	Parker	Voss
Blue	Eggleston	Lansing	Patton	Waddell
Boshart	Eichhorn	Lee	Phillips	Wainwright
Brady	Ferguson	Lewis	Prentice	Waters
Brooks	Filley	Lowe	Ralston	Weber
Brough	Fowler	Lupton	Reece	Weimert
Brown	Francis	Maher	Robinson	Wells
Burhyte	Frisbie	Marlatt	Rogers	West
Chamberlain	Green	Matthews	Schoeneck	Whitley
Cole	Gunderman	Merritt	Shuttleworth	Whitney F G
Collins	Haines	Miller	Sinclair	Whitney G H
Colne	Hamilton	Mills	Smith C	Winters
Conklin	Hammond	Moreland	Smith Myron	Wood
Cunningham	Hamn	Morgan	Staley	Yale
De Groot	Harris	Murphy C F	Stanton	Young
Dominy	Hart	Murphy G W		

Mr. Speaker put the question whether the House would agree to said motion of Mr. Bohan, and it was determined in the negative.

AYES 46

NOES 93

Those who voted in the affirmative were:

Baumann	Eagleton	Gluck	Jacobs	Schulz
Bohan	Farrell	Goldberg	Keller	Schwegler
Buckley	Fay	Hackett	Loos	Sheridan
Burns	Feth	Harawitz	Mallon	Smith A E
Burzynski	Foley C F	Harper	McCue	Stern
Cavanaugh	Foley J A	Hoey	Mooney	Stratton
Croak	Ganly	Holmes	Northrup	Todd
Cuvillier	Garbe	Huth	Oliver	Wagner
Dobbs	Geoghagan	Jackson	Schmidt	Walters
Donnelly				

Those who voted in the negative were:

Allen	Dowling	Hastings	Nevins	Stevenson
Apgar	Draper	Hooper	Newton	Surplless
Averill	Dudley	Hubbs	O'Brian	Volk
Baldwin	Duell	Hurd	Parker	Voss
Blue	Eggleston	Lansing	Patton	Waddell
Boshart	Eichhorn	Lee	Phillips	Wainwright
Brady	Ferguson	Lewis	Prentice	Waters
Brooks	Filley	Lowe	Ralston	Weber
Brough	Fowler	Lupton	Reece	Weimert
Brown	Francis	Maher	Robinson	Wells
Burhyte	Frisbie	Marlatt	Rogers	West
Chamberlain	Green	Matthews	Schoeneck	Whitley
Cole	Gnnderman	Merritt	Shuttleworth	Whitney F G
Collins	Haines	Miller	Sinclair	Whitney G H
Colné	Hamilton	Mills	Smith C	Winters
Conklin	Hammond	Moreland	Smith Myron	Wood
Cunningham	Hamn	Morgan	Staley	Yale
De Groot	Harris	Murphy C F	Stanton	Young
Dominy	Hart	Murphy G W		

Mr. Speaker put the question whether the House would agree to said motion of Mr. Harawitz, and it was determined in the negative.

AYES 46

NOES 93

Those who voted in the affirmative were:

Baumann	Eagleton	Gluck	Jacobs	Schulz
Bohan	Farrell	Goldberg	Keller	Schwegler
Buckley	Fay	Hackett	Loos	Sheridan
Burns	Feth	Harawitz	Mallon	Smith A E
Burzynski	Foley C F	Harper	McCue	Stern
Cavanaugh	Foley J A	Hoey	Mooney	Stratton
Croak	Ganly	Holmes	Northrup	Todd
Cuvillier	Garbe	Huth	Oliver	Wagner
Dobbs	Geoghagan	Jackson	Schmidt	Walters
Donnelly				

Those who voted in the negative were:

Allen	Dowling	Hastings	Nevins	Stevenson
Apgar	Draper	Hooper	Newton	Surplless
Averill	Dudley	Hubbs	O'Brian	Volk
Baldwin	Duell	Hurd	Parker	Voss
Blue	Eggleston	Lansing	Patton	Waddell
Boshart	Eichhorn	Lee	Phillips	Wainwright
Brady	Ferguson	Lewis	Prentice	Waters
Brooks	Filley	Lowe	Ralston	Weber
Brough	Fowler	Lupton	Reece	Weimert
Brown	Francis	Maher	Robinson	Wells
Burhyte	Frisbie	Marlatt	Rogers	West
Chamberlain	Green	Matthews	Schoeneck	Whitley
Cole	Gunderman	Merritt	Shuttleworth	Whitney F G
Collins	Haines	Miller	Sinclair	Whitney G H
Colné	Hamilton	Mills	Smith C	Winters
Conklin	Hammond	Moreland	Smith Myron	Wood
Cunningham	Hamn	Morgan	Staley	Yale
De Groot	Harris	Murphy C F	Stanton	Young
Dominy	Hart	Murphy G W		

Mr. Speaker put the question whether the House would agree to said motion of Mr. Stratton, and it was determined in the negative.

AYES 46

NOES 93

Those who voted in the affirmative were:

Baumann	Eagleton	Gluck	Jacobs	Schulz
Bohan	Farrell	Goldberg	Keller	Schwegler
Buckley	Fay	Hackett	Loos	Sheridan
Burns	Feth	Harawitz	Mallon	Smith A E
Burzynski	Foley C F	Harper	McCue	Stern
Cavanaugh	Foley J A	Hoey	Mooney	Stratton
Croak	Ganly	Holmes	Northrup	Todd
Cuvillier	Garbe	Huth	Oliver	Wagner
Dobbs	Geoghagan	Jackson	Schmidt	Walters
Donnelly				

Those who voted in the negative were:

Allen	Dowling	Hastings	Nevins	Stevenson
Apgar	Draper	Hooper	Newton	Surpluss
Averill	Dudley	Hubbs	O'Brian	Volk
Baldwin	Duell	Hurd	Parker	Voss
Blue	Eggleston	Lausing	Patton	Waddell
Boshart	Eichhorn	Lee	Phillips	Wainwright
Brady	Ferguson	Lewis	Prentice	Waters
Brooks	Filley	Lowe	Ralston	Weber
Brough	Fowler	Lupton	Reece	Weimert
Brown	Francis	Maher	Robinson	Wells
Burhyte	Frisbie	Marlatt	Rogers	West
Chamberlain	Green	Matthews	Schoeneck	Whitley
Cole	Gunderman	Merritt	Shuttleworth	Whitney F G
Collins	Haines	Miller	Sinclair	Whitney G H
Colne	Hamilton	Mills	Smith C	Winters
Conklin	Hammond	Moreland	Smith Myron	Wood
Cunningham	Hamn	Morgan	Staley	Yale
De Groot	Harris	Murphy C F	Stanton	Young
Dominy	Hart	Murphy G W		

Mr. Speaker put the question whether the House would agree to said motion of Mr. Glynn, and it was determined in the negative.

AYES 46

NOES 93

Those who voted in the affirmative were:

Baumann	Eagleton	Gluck	Jacobs	Schultz
Bohan	Farrell	Goldberg	Keller	Schwegler
Buckley	Fay	Hackett	Loos	Sheridan
Burns	Feth	Harawitz	Mallon	Smith A E
Burzynski	Foley C F	Harper	McCue	Stern
Cavanaugh	Foley J A	Hoey	Mooney	Stratton
Croak	Ganly	Holmes	Northrup	Todd
Cuvillier	Garbe	Huth	Oliver	Wagner
Dobbs	Geoghagan	Jackson	Schmidt	Walters
Donnelly				

Those who voted in the negative were:

Allen	Dowling	Hastings	Nevins	Stevenson
Apgar	Draper	Hooper	Newton	Surpless
Averill	Dudley	Hubbs	O'Brian	Volk
Baldwin	Duell	Hurd	Parker	Voss
Blue	Eggleston	Lansing	Patton	Waddell
Boshart	Eichhorn	Lee	Phillips	Wainwright
Brady	Ferguson	Lewis	Prentice	Waters
Brooks	Filley	Lowe	Ralston	Weber
Brough	Fowler	Lupton	Reece	Weimert
Brown	Francis	Maher	Robinson	Wells
Burhyte	Frisbie	Marlatt	Rogers	West
Chamberlain	Green	Matthews	Schoeneck	Whitley
Cole	Gunderman	Merritt	Shuttleworth	Whitney F G
Collins	Haines	Miller	Sinclair	Whitney G H
Colné	Hamilton	Mills	Smith C	Winters
Conklin	Hammond	Moreland	Smith Myron	Wood
Cunningham	Hamm	Morgan	Staley	Yale
De Groot	Harris	Murphy C F	Stanton	Young
Dominy	Hart	Murphy G W		

Mr. Speaker put the question whether the House would agree to said motion of Mr. Dobbs, and it was determined in the negative.

AYES 46

NOES 93

Those who voted in the affirmative were:

Baumann	Eagleton	Gluck	Jacobs	Schulz
Bohan	Farrell	Goldberg	Keller	Schwegler
Buckley	Fay	Hackett	Loos	Sheridan
Burns	Feth	Harawitz	Mallon	Smith A E
Burzynski	Foley C F	Harper	McCue	Stern
Cavanaugh	Foley J A	Hoey	Mooney	Stratton
Croak	Ganly	Holmes	Northrup	Todd
Cuvillier	Garbe	Huth	Oliver	Wagner
Dobbs	Geoghagan	Jackson	Schmidt	Walters
Donnelly				

Those who voted in the negative were:

Allen	Dowling	Hastings	Nevins	Stevenson
Apgar	Draper	Hooper	Newton	Surpless
Averill	Dudley	Hubbs	O'Brian	Volk
Baldwin	Duell	Hurd	Parker	Voss
Blue	Eggleston	Lansing	Patton	Waddell
Boshart	Eichhorn	Lee	Phillips	Wainwright
Brady	Ferguson	Lewis	Prentice	Waters
Brooks	Filley	Lowe	Ralston	Weber
Brough	Fowler	Lupton	Reece	Weimert
Brown	Francis	Maher	Robinson	Wells
Burhyte	Frisbie	Marlatt	Rogers	West
Chamberlain	Green	Matthews	Schoeneck	Whitley
Cole	Gunderman	Merritt	Shuttleworth	Whitney F G
Collins	Haines	Miller	Sinclair	Whitney G H
Colné	Hamilton	Mills	Smith C	Winters
Conklin	Hammond	Moreland	Smith Myron	Wood
Cunningham	Hamm	Morgan	Staley	Yale
De Groot	Harris	Murphy C F	Stanton	Young
Dominy	Hart	Murphy G W		

Mr. Speaker put the question whether the House would agree to said motion of Mr. Eagleton, and it was determined in the negative.

AYES 46

NOES 93

Those who voted in the affirmative were:

Baumann	Eagleton	Gluck	Jacobs	Schulz
Bohan	Farrell	Goldberg	Keller	Schwegler
Buckley	Fay	Hackett	Loos	Sheridan
Burns	Feth	Harawitz	Mallon	Smith A E
Burzynski	Foley C F	Harper	McCue	Stern
Cavanaugh	Foley J A	Hoey	Mooney	Stratton
Croak	Ganly	Holmes	Northrop	Todd
Cuvillier	Garbe	Huth	Oliver	Wagner
Dobbs	Geoghagan	Jackson	Schmidt	Walters
Donnelly				

Those who voted in the negative were:

Allen	Dowling	Hastings	Nevins	Stevenson
Apgar	Draper	Hooper	Newton	Surpless
Averill	Dudley	Hubbs	O'Brian	Volk
Baldwin	Duell	Hurd	Parker	Voss
Blue	Eggleston	Lansing	Patton	Waddell
Boshart	Eichhorn	Lee	Phillips	Wainwright
Brady	Ferguson	Lewis	Prentice	Waters
Brooks	Filley	Lowe	Ralston	Weber
Brough	Fowler	Lupton	Reece	Weimert
Brown	Francis	Maher	Robinson	Wells
Burhyte	Frisbie	Marlatt	Rogers	West
Chamberlain	Green	Matthews	Schoeneck	Whitley
Cole	Gunderman	Merritt	Shuttleworth	Whitney F G
Collins	Haines	Miller	Sinclair	Whitney G H
Colné	Hamilton	Mills	Smith C	Winters
Conklin	Hammond	Moreland	Smith Myron	Wood
Cunningham	Hamm	Morgan	Staley	Yale
De Groot	Harris	Murphy C F	Stanton	Young
Dominy	Hart	Murphy G W		

Mr. Speaker put the question whether the House would agree to said motion of Mr. Stern, and it was determined in the negative.

AYES 46

NOES 93

Those who voted in the affirmative were:

Baumann	Eagleton	Gluck	Jacobs	Schulz
Bohan	Farrell	Goldberg	Keller	Schwegler
Buckley	Fay	Hackett	Loos	Sheridan
Burns	Feth	Harawitz	Mallon	Smith A E
Burzynski	Foley C F	Harper	McCue	Stern
Cavanaugh	Foley J A	Hoey	Mooney	Stratton
Croak	Ganly	Holmes	Northrop	Todd
Cuvillier	Garbe	Huth	Oliver	Wagner
Dobbs	Geoghagan	Jackson	Schmidt	Walters
Donnelly				

Those who voted in the negative were:

Allen	Dowling	Hastings	Nevins	Stevenson
Apgar	Draper	Hooper	Newton	Surpless
Averill	Dudley	Hubbs	O'Brian	Volk
Baldwin	Duell	Hurd	Parker	Voss
Blue	Eggleston	Lansing	Patton	Waddell
Boshart	Eichhorn	Lee	Phillips	Wainwright
Brady	Ferguson	Lewis	Prentice	Waters
Brooks	Filley	Lowe	Ralston	Weber
Brough	Fowler	Lupton	Reece	Weimert
Brown	Francis	Maher	Robinson	Wells
Burhyte	Frisbie	Marlatt	Rogers	West
Chamberlain	Green	Matthews	Schoeneck	Whitley
Cole	Gunderman	Merritt	Shuttleworth	Whitney F G
Collins	Haines	Miller	Sinclair	Whitney G H
Colné	Hamilton	Mills	Smith C	Winters
Conklin	Hammond	Moreland	Smith Myron	Wood
Cunningham	Hamn	Morgan	Staley	Yale
De Groot	Harris	Murphy C F	Stanton	Young
Dominy	Hart	Murphy G W		

Mr. Speaker put the question whether the House would agree to said motion of Mr. Cuvillier, and it was determined in the negative.

On motion of Mr. Merritt, said bill was then read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 140

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Smith A E
Apgar	Dowling	Hamilton	Miller	Smith C
Averill	Draper	Hammond	Mills	Smith Myron
Baldwin	Dudley	Hamn	Mooney	Staley
Baumann	Duell	Harawitz	Moreland	Stanton
Blue	Eagleton	Harper	Morgan	Stern
Bohan	Eggleston	Harris	Murphy C F	Stevenson
Boshart	Eichhorn	Hastings	Murphy G W	Stratton
Brady	Farrell	Hoey	Nevins	Surpless
Brooks	Fay	Holmes	Newton	Todd
Brough	Ferguson	Hooper	Northrup	Volk
Brown	Feth	Hubbs	O'Brian	Voss
Buckley	Filley	Hurd	Oliver	Wagner

Burhyte	Flanagan	Huth	Parker	Wainwright
Burns	Foley C F	Jackson	Patton	Walters
Burzynski	Foley J A	Jacobs	Phillips	Waters
Cavanaugh	Fowler	Keller	Prentice	Weber
Chamberlain	Francis	Lansing	Ralston	Weimert
Cole	Frisbie	Lee	Reece	Wells
Collins	Ganly	Lewis	Robinson	West
Colne	Garbe	Loos	Rogers	Whitley
Conklin	Geoghagan	Lowe	Schmidt	Whitney F G
Croak	Gluck	Lupton	Schoeneck	Whitney G H
Cunningham	Glynn	Maher	Schulz	Winters
Cuvillier	Goldberg	Mallon	Schwegler	Wood
De Groot	Green	Marlatt	Sheridan	Yale
Dobbs	Gunderman	Matthews	Shuttleworth	Young
Dominy	Hackett	McCue	Sinclair	Speaker

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1021) entitled "An act to amend chapter four hundred and sixty-eight of the Laws of eighteen hundred and ninety-four, entitled 'An act to provide for the establishment of a home for the aged and dependent veteran and his wife, veterans' mothers, widows, and army nurses, residents of New York.'" (Rec. No. 180.)

On motion of Mr. Moreland, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Haines	McCue	Sinclair
Apgar	Draper	Hamilton	Merritt	Smith A E
Baldwin	Dudley	Hammond	Miller	Smith C
Baumann	Duell	Harawitz	Mills	Smith Myron
Blue	Eagleton	Harper	Mooney	Staley
Bohan	Eggleston	Harris	Moreland	Stern
Boshart	Eichhorn	Hart	Murphy C F	Stevenson
Brady	Farrell	Hastings	Murphy G W	Stratton

Brooks	Ferguson	Hoey	Nevins	Surpless
Brough	Feth	Holmes	Newton	Todd
Brown	Filley	Hooper	Northrup	Volk
Buckley	Flanagan	Hubbs	Norton	Waddell
Burhyte	Foley C F	Hurd	O'Brian	Wagner
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jackson	Parker	Walters
Cavanaugh	Francis	Jacobs	Patton	Waters
Chamberlain	Ganly	Keller	Phillips	Weber
Cole	Garbe	Lansing	Prentice	Weimert
Collins	Geoghagan	Lee	Ralston	Wells
Colne	Glore	Lewis	Reece	West
Conklin	Gluck	Lowe	Rogers	Whitley
Croak	Glynn	Lupton	Schmidt	Whitney F G
Cunningham	Goldberg	Maher	Schoeneck	Whitney G H
Cuvillier	Green	Mallon	Schulz	Winters
De Groot	Gunderman	Marlatt	Sheridan	Wood
Dobbs	Hackett	Matthews	Shuttleworth	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1063) entitled "An act to provide for the selection of a site for a State hospital for the insane in the southeastern part of the State, in the vicinity of the city of New York, and for securing contracts for the sale to the State of the lands so selected." (Rec. No. 226.)

On motion of Mr. Moreland, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Haines	McCue	Sinclair
Apgar	Draper	Hamilton	Merritt	Smith A E
Baldwin	Dudley	Hammond	Miller	Smith C
Baumann	Duell	Harawitz	Mills	Smith Myron
Blue	Eagleton	Harper	Mooney	Stanley

Bohan	Eggleston	Harris	Moreland	Stern
Boshart	Eichhorn	Hart	Murphy C F	Stevenson
Brady	Farrell	Hastings	Murphy G W	Stratton
Brooks	Ferguson	Hoey	Nevins	Surpluss
Brough	Feth	Holmes	Newton	Todd
Brown	Filley	Hooper	Northrup	Volk
Buckley	Flanagan	Hubbs	Norton	Waddell
Burhyte	Foley C F	Hurd	O'Brian	Wagner
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jackson	Parker	Walters
Cavanaugh	Francis	Jacobs	Patton	Waters
Chamberlain	Ganly	Keller	Phillips	Weber
Cole	Garbe	Lansing	Prentice	Weimert
Collins	Geoghagan	Lee	Ralston	Wells
Colné	Glore	Lewis	Reece	West
Conklin	Gluck	Lowe	Rogers	Whitley
Croak	Glynn	Lupton	Schmidt	Whitney F G
Cunningham	Goldberg	Maher	Schoeneck	Whitney G H
Cuvillier	Green	Mallon	Schulz	Winters
De Groot	Gunderman	Marlatt	Sheridan	Wood
Dobbs	Hackett	Matthews	Shuttleworth	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1452) entitled "An act to amend chapter five hundred and thirty-one of the Laws of eighteen hundred and eighty-one, entitled 'An act for the protection of taxpayers,' in relation to the burden of proof in certain actions." (Rec. No. 387.)

On motion of Mr. Sinclair, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 85

NOES 41

Those who voted in the affirmative were:

Averill	Dowling	Hamn	Morgan	Staley
Baldwin	Draper	Harris	Murphy C F	Stanton
Blue	Dudley	Hart	Murphy G W	Stevenson
Boshart	Duell	Hubbs	Nevins	Surpluss

Brady	Eggleston	Hurd	Newton	Volk
Brooks	Eichhorn	Lansing	O'Brian	Voss
Brough	Ferguson	Lee	Patton	Wainwright
Brown	Fillee	Lewis	Prentice	Waters
Burhyte	Flanagan	Lowe	Ralston	Weber
Chamberlain	Fowler	Lupton	Reece	Weimert
Cole	Francis	Maher	Robinson	Wells
Colné	Frisbie	Marlatt	Rogers	Whitley
Conklin	Garbe	Matthews	Schoeneck	Whitney F G
Cunningham	Green	Merritt	Shuttleworth	Whitney G H
Cuvillier	Gunderman	Miller	Sinclair	Wood
De Groot	Haines	Mills	Smith C	Yale
Dominy	Hamilton	Moreland	Smith Myron	Young

Those who voted in the negative were:

Baumann	Farrell	Glynn	Keller	Schmidt
Bohan	Fay	Goldberg	Loos	Schwegler
Buckley	Feth	Hackett	McCue	Smith A E
Burzynski	Foley C F	Hammond	Mooney	Stern
Cavanaugh	Foley J A	Harawitz	Northrup	Stratton
Croak	Ganly	Harper	Oliver	Wagner
Dobbs	Geoghagan	Holmes	Parker	Walters
Donnelly	Gluck	Jackson	Phillips	Winters
Eagleton				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1430) entitled "An act to amend the General Municipal Law, in relation to the investigation of expenditures of counties" (Rec. No. 389). Said bill having been announced for second reading, Mr. Northrup moved to amend as follows:

On page 1, line 6, strike out the words "twenty-five" and insert words "one hundred".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

On motion of Mr. Sinclair, said bill was then read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 90

NOES 49

Those who voted in the affirmative were:

Allen	Dominy	Harris	Murphy C F	Stanton
Apgar	Dowling	Hastings	Murphy G W	Stevenson
Averill	Draper	Hooper	Nevins	Surpluss
Baldwin	Dudley	Hubbs	Newton	Volk
Blue	Duell	Hurd	O'Brian	Voss
Boshart	Eggleston	Lansing	Parker	Wainwright
Brady	Eichhorn	Lee	Patton	Waters
Brooks	Ferguson	Lewis	Prentice	Weber
Brough	Filley	Lowe	Ralston	Weimert
Brown	Fowler	Lupton	Reece	Wells
Burhyte	Francis	Maher	Robinson	West
Chamberlain	Frisbie	Marlatt	Rogers	Whitley
Cole	Green	Matthews	Schoeneck	Whitney F G
Collins	Gunderman	Merritt	Shuttleworth	Whitney G H
Colné	Haines	Miller	Sinclair	Winters
Conklin	Hamilton	Mills	Smith C	Wood
Cunningham	Hammond	Moreland	Smith Myron	Yale
De Groot	Hamn	Morgan	Staley	Young

Those who voted in the negative were:

Baumann	Eagleton	Gluck	Jacobs	Schulz
Bohan	Farrell	Glynn	Keller	Schwegler
Buckley	Fay	Goldberg	Loos	Sheridan
Burns	Feth	Hackett	Mallon	Smith A E
Burzynski	Flanagan	Harawitz	McCue	Stern
Cavanaugh	Foley C F	Harper	Mooney	Stratton
Croak	Foley J A	Hoey	Northrup	Todd
Cuvillier	Ganly	Holmes	Oliver	Wagner
Dobbs	Garbe	Huth	Phillips	Walters
Donnelly	Geoghagan	Jackson	Schmidt	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1425) entitled "An act to validate a certain deed of conveyance of land in the city of New York, and authorizing the rector, churchwardens and vestrymen of Saint George's Church in the city of New York, to convey the same to the New York Protestant Episcopal City Mission Society." (Rec. No. 391.)

On motion of Mr. Chamberlain, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were: .

Allen	Dowling	Haines	McCue	Sinclair
Apgar	Draper	Hamilton	Merritt	Smith A E
Baldwin	Dudley	Hammond	Miller	Smith C
Baumann	Duell	Harawitz	Mills	Smith Myron
Blue	Eagleton	Harper	Mooney	Staley
Bohan	Eggleston	Harris	Moreland	Stern
Boshart	Eichhorn	Hart	Murphy C F	Stevenson
Brady	Farrell	Hastings	Murphy G W	Stratton
Brooks	Ferguson	Hoey	Nevins	Surpless
Brough	Feth	Holmes	Newton	Todd
Brown	Filley	Hooper	Northrup	Volk
Buckley	Flanagan	Hubbs	Norton	Waddell
Burhyte	Foley C F	Hurd	O'Brian	Wagner
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jackson	Parker	Walters
Cavanaugh	Francis	Jacobs	Patton	Waters
Chamberlain	Ganly	Keller	Phillips	Weber
Cole	Garbe	Lansing	Prentice	Weimert
Collins	Geoghagan	Lee	Ralston	Wells
Colné	Glore	Lewis	Reece	West
Conklin	Gluck	Lowe	Rogers	Whitley
Croak	Glynn	Lupton	Schmidt	Whitney F G
Cunningham	Goldberg	Maher	Schoeneck	Whitney G H
Cuvillier	Green	Mallon	Schulz	Winters
De Groot	Gunderman	Marlatt	Sheridan	Wood
Dobbs	Hackett	Matthews	Shuttleworth	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 454) entitled "An act to provide for the fees to be charged in the office of the register of the county of Kings." (Rec. No. 120.)

On motion of Mr. Lee, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Haines	McCue	Sinclair
Apgar	Draper	Hamilton	Merritt	Smith A E
Baldwin	Dudley	Hammond	Miller	Smith C
Baumann	Duell	Harawitz	Mills	Smith Myron
Blue	Eagleton	Harper	Mooney	Staley
Bohan	Eggleston	Harris	Moreland	Stern
Boshart	Eichhorn	Hart	Murphy C F	Stevenson
Brady	Farrell	Hastings	Murphy G W	Stratton
Brooks	Ferguson	Hoey	Nevins	Surpless
Brough	Feth	Holmes	Newton	Todd
Brown	Filley	Hooper	Northrup	Volk
Buckley	Flanagan	Hubbs	Norton	Waddell
Burhyte	Foley C F	Hurd	O'Brian	Wagner
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jackson	Parker	Walters
Cavanaugh	Francis	Jacobs	Patton	Waters
Chamberlain	Ganly	Keller	Phillips	Weber
Cole	Garbe	Lansing	Prentice	Weimert
Collins	Geoghagan	Lee	Ralston	Wells
Colné	Glore	Lewis	Reece	West
Conklin	Gluck	Lowe	Rogers	Whitley
Croak	Glynn	Lupton	Schmidt	Whitney F G
Cunningham	Goldberg	Maher	Schoeneck	Whitney G H
Cuvillier	Green	Mallon	Schulz	Winters
De Groot	Gunderman	Marlatt	Sheridan	Wood
Dobbs	Hackett	Matthews	Shuttleworth	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 2674) entitled "An act to amend 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same, and to provide for local option, constituting chapter twenty-nine of the general laws.'" (Int. No. 1294.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 8

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Merritt	Sinclair
Apgar	Draper	Hammond	Miller	Smith C
Baldwin	Dudley	Harawitz	Mills	Smith Myron
Baumann	Duell	Harper	Mooney	Staley
Blue	Eggleston	Harris	Moreland	Stern
Bohan	Eichhorn	Hart	Murphy C F	Stevenson
Boshart	Farrell	Hastings	Murphy G W	Stratton
Brady	Ferguson	Hoey	Nevins	Surpless
Brooks	Feth	Holmes	Newton	Todd
Brough	Filley	Hooper	Northrup	Volk
Brown	Flanagan	Hubbs	Norton	Waddell
Burhyte	Foley C F	Hurd	O'Brian	Wainwright
Burns	Foley J A	Huth	Oliver	Walters
Burzynski	Fowler	Jackson	Parker	Waters
Cavanaugh	Francis	Jacobs	Patton	Weber
Chamberlain	Ganly	Keller	Phillips	Weimert
Cole	Garbe	Lansing	Prentice	Wells
Collins	Geoghagan	Lee	Ralston	West
Colné	Glore	Lewis	Reece	Whitley
Conklin	Gluck	Lowe	Rogers	Whitney F G
Croak	Glynn	Lupton	Schmidt	Whitney G H
Cunningham	Goldberg	Maher	Schoeneck	Winters
De Groot	Green	Mallon	Schulz	Wood
Dobbs	Gunderman	Marlatt	Sheridan	Young
Dominy	Haines	Matthews	Shuttleworth	

Those who voted in the negative were:

Buckley	Eagleton	McCue	Smith A E	Wagner
Cuvillier	Hackett	Schwegler		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2699) entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' in relation to salaries of clerk, police officers, policemen and janitors." (Int. No. 1444.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Haines	McCue	Sinclair
Apgar	Draper	Hamilton	Merritt	Smith A E
Baldwin	Dudley	Hammond	Miller	Smith C
Baumann	Duell	Harawitz	Mills	Smith Myron
Blue	Eagleton	Harper	Mooney	Staley
Bohan	Eggleston	Harris	Moreland	Stern
Boshart	Eichhorn	Hart	Murphy C F	Stevenson
Brady	Farrell	Hastings	Murphy G W	Stratton
Brooks	Ferguson	Hoey	Nevins	Surpluss
Brough	Feth	Holmes	Newton	Todd
Brown	Filley	Hooper	Northrup	Volk
Buckley	Flanagan	Hubbs	Norton	Waddell
Burhyte	Foley C F	Hurd	O'Brian	Wagner
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jackson	Parker	Walters
Cavanaugh	Francis	Jacobs	Patton	Waters
Chamberlain	Ganly	Keller	Phillips	Weber
Cole	Garbe	Lansing	Prentice	Weimert
Collins	Geoghagan	Lee	Ralston	Wells
Colné	Glore	Lewis	Reece	West
Conklin	Gluck	Lowe	Rogers	Whitley
Croak	Glynn	Lupton	Schmidt	Whitney F G
Cunningham	Goldberg	Maher	Schoeneck	Whitney G H
Cuvillier	Green	Mallon	Schulz	Winters
De Groot	Gunderman	Marlatt	Sheridan	Wood
Dobbs	Hackett	Matthews	Shuttleworth	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the bill (No. 2609) entitled "An act to provide for an additional supply of pure and wholesome water for the village of Peekskill, for the acquisition of lands or interest therein, and for the construction of the necessary reservoir, dams and other appurtenances for that purpose." (Int. No. 1362.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Haines	McCue	Sinclair
Apgar	Draper	Hamilton	Merritt	Smith A E
Baldwin	Dudley	Hammond	Miller	Smith C
Baumann	Duell	Harawitz	Mills	Smith Myron
Blue	Eagleton	Harper	Mooney	Staley
Bohan	Eggleston	Harris	Moreland	Stern
Boshart	Eichhorn	Hart	Murphy C F	Stevenson
Brady	Farrell	Hastings	Murphy G W	Stratton
Brooks	Ferguson	Hoey	Nevins	Surpless
Brough	Feth	Holmes	Newton	Todd
Brown	Filley	Hooper	Northrup	Volk
Buckley	Flanagan	Hubbs	Norton	Waddell
Burhyte	Foley C F	Hurd	O'Brian	Wagner
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jackson	Parker	Walters
Cavanaugh	Francis	Jacobs	Patton	Waters
Chamberlain	Ganly	Keller	Phillips	Weber
Cole	Garbe	Lansing	Prentice	Weimert
Collins	Geoghagan	Lee	Ralston	Wells
Colné	Glore	Lewis	Reece	West
Conklin	Gluck	Lowe	Rogers	Whitley
Croak	Glynn	Lupton	Schmidt	Whitney F G
Cunningham	Goldberg	Maher	Schoeneck	Whitney G H
Cuvillier	Green	Mallon	Schulz	Winters
De Groot	Gunderman	Marlatt	Sheridan	Wood
Dobbs	Hackett	Matthews	Shuttleworth	Young
Dominy				

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2692) entitled "An act to amend the Greater New York charter, relative to the police pension fund." (Int. No. 954.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Haines	McCue	Sinclair
Apgar	Draper	Hamilton	Merritt	Smith A E
Baldwin	Dudley	Hammond	Miller	Smith C
Baumann	Duell	Harawitz	Mills	Smith Myron
Blue	Eagleton	Harper	Mooney	Staley
Bohan	Eggleston	Harris	Moreland	Stern
Boshart	Eichhorn	Hart	Murphy C F	Stevenson
Brady	Farrell	Hastings	Murphy G W	Stratton
Brooks	Ferguson	Hoey	Nevins	Surplless
Brough	Feth	Holmes	Newton	Todd
Brown	Filley	Hooper	Northrup	Volk
Buckley	Flanagan	Hubbs	Norton	Waddell
Burhyte	Foley C F	Hurd	O'Brian	Wagner
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jackson	Parker	Walters
Cavanaugh	Francis	Jacobs	Patton	Waters
Chamberlain	Ganly	Keller	Phillips	Weber
Cole	Garbe	Lansing	Prentice	Weimert
Collins	Geoghagan	Lee	Ralston	Wells
Colné	Glore	Lewis	Reece	West
Conklin	Gluck	Lowe	Rogers	Whitley
Croak	Glynn	Lupton	Schmidt	Whitney F G
Cunningham	Goldberg	Maher	Schoeneck	Whitney G H
Cuvillier	Green	Mallon	Schulz	Winters
De Groot	Gunderman	Marlatt	Sheridan	Wood
Dobbs	Hackett	Matthews	Shuttleworth]	Young
Dominy				

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1620) entitled "An act to fix and establish the annual salary of the surrogate of Kings county and repealing section two hundred and twenty-two of chapter six hundred and eighty-six of the Laws of eighteen hundred and ninety-two in so far as it relates to Kings county." (Int. No. 1311.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Haines	McCue	Sinclair
Apgar	Draper	Hamilton	Merritt	Smith A E
Baldwin	Dudley	Hammond	Miller	Smith C
Baumann	Duell	Harawitz	Mills	Smith Myron
Blue	Eagleton	Harper	Mooney	Staley
Bohan	Eggleston	Harris	Moreland	Stern
Boshart	Eichhorn	Hart	Murphy C F	Stevenson
Brady	Farrell	Hastings	Murphy G W	Stratton
Brooks	Ferguson	Hoey	Nevins	Surpless
Brough	Feth	Holmes	Newton	Todd
Brown	Filley	Hooper	Northrup	Volk
Buckley	Flanagan	Hubbs	Norton	Waddell
Burhyte	Foley C F	Hurd	O'Brian	Wagner
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jackson	Parker	Walters
Cavanaugh	Francis	Jacobs	Patton	Waters
Chamberlain	Ganly	Keller	Phillips	Weber
Cole	Garbe	Lansing	Prentice	Weimert
Collins	Geoghagan	Lee	Ralston	Wells
Colné	Glore	Lewis	Reece	West
Conklin	Gluck	Lowe	Rogers	Whitley
Croak	Glynn	Lupton	Schmidt	Whitney F G
Cunningham	Goldberg	Maher	Schoeneck	Whitney G H
Cuvillier	Green	Mallon	Schulz	Winters
De Groot	Gunderman	Marlatt	Sheridan	Wood
Dobbs	Hackett	Matthews	Shuttleworth	Young
Dominy				

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2661) entitled "An act to amend the Liquor Tax Law, in relation to excepting State hospitals from the prohibition as to places in which traffic in liquor shall not be permitted." (Int. No. 1584.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 2

Those who voted in the affirmative were:

Allen	Dominy	Haines	McCue	Sinclair
Apgar	Dowling	Hamilton	Merritt	Smith A E
Baldwin	Draper	Hammond	Miller	Smith C
Baumann	Dudley	Harawitz	Mills	Smith Myron

Blue	Duell	Harper	Mooney	Staley
Bohan	Eggleston	Harris	Moreland	Stern
Boshart	Eichhorn	Hart	Murphy C F	Stevenson
Brady	Farrell	Hastings	Murphy G W	Stratton
Brooks	Ferguson	Hoey	Nevins	Surplless
Brough	Feth	Holmes	Newton	Todd
Brown	Filley	Hooper	Northrup	Volk
Buckley	Flanagan	Hubbs	Norton	Waddell
Burhyte	Foley C F	Hurd	O'Brian	Wagner
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jackson	Parker	Walters
Cavanaugh	Francis	Jacobs	Patton	Waters
Chamberlain	Ganly	Keller	Phillips	Weber
Cole	Garbe	Lansing	Prentice	Weimert
Collins	Geoghagan	Lee	Ralston	Wells
Colné	Glore	Lewis	Reece	West
Conklin	Gluck	Lowe	Rogers	Whitley
Croak	Glynn	Lupton	Schmidt	Whitney F G
Cunningham	Goldberg	Maher	Schoeneck	Whitney G H
Cuvillier	Gray	Mallon	Schulz	Winters
De Groot	Green	Marlatt	Sheridan	Wood
Dobbs	Gunderman	Matthews	Shuttleworth	Young

Those who voted in the negative were:

Eagleton Hackett

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, May 14, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1788, Senate reprint No. 1388, Int. No. 1408) entitled "An act to amend the forest, fish and game law, in relation to the close season for trout in Livingston county."

CHARLES E. HUGHES.

Said bill having been announced, Mr. Nevins moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Haines	McCue	Sinclair
Apgar	Draper	Hamilton	Merritt	Smith A E
Baldwin	Dudley	Hammond	Miller	Smith C
Baumann	Duell	Harawitz	Mills	Smith Myron
Blue	Eagleton	Harper	Mooney	Staley
Bohan	Eggleston	Harris	Moreland	Stern
Boshart	Eichhorn	Hart	Murphy C F	Stevenson
Brady	Farrell	Hastings	Murphy G W	Stratton
Brooks	Ferguson	Hoey	Nevins	Surpless
Brough	Feth	Holmes	Newton	Todd
Brown	Filley	Hooper	Northrup	Volk
Buckley	Flanagan	Hubbs	Norton	Waddell
Burhyte-	Foley C F	Hurd	O'Brian	Wagner
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jackson]	Parker	Walters
Cavanaugh	Francis	Jacobs	Patton	Waters
Chamberlain	Ganly	Keller	Phillips	Weber
Cole	Garbe	Lansing	Prentice	Weimert
Collins	Geoghagan	Lee	Ralston	Wells
Colné	Glore	Lewis	Reece	West
Conklin	Gluck	Lowe	Rogers	Whitley
Croak	Glynn	Lupton	Schmidt	Whitney F G
Cunningham	Goldberg	Maher	Schoeneck	Whitney G H
Cuvillier	Green	Mallon	Schulz	Winters
De Groot	Gunderman	Marlatt	Sheridan	Wood
Dobbs	Hackett	Matthews	Shuttleworth	Young
Dominy				

Mr. Nevins moved that said bill be recommitted to the committee on fisheries and game, with instructions to report the same, forthwith amended as follows:

Page 2, line 8, strike out the word "county" and all the brackets in lines 8, 9 and 10.

Page 2, line 10, commencing with the word "in" strike out lines 10, 11, 12, 13 and 14.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Mills, from the committee on fisheries and game, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, May 3, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1050, Senate reprint No. 1262, Int. No. 664) entitled "An act to amend the election law, in relation to changing election districts in certain towns."

CHARLES E. HUGHES.

Said bill having been announced, Mr. Merritt moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Haines	McCue	Sinclair
Apgar	Draper	Hamilton	Merritt	Smith A E
Baldwin	Dudley	Hammond	Miller	Smith C
Baumann	Duell	Harawitz	Mills	Smith Myron
Blue	Eagleton	Harper	Mooney	Staley
Bohan	Eggleston	Harris	Moreland	Stern
Boshart	Eichhorn	Hart	Murphy C F	Stevenson
Brady	Farrell	Hastings	Murphy G W	Stratton
Brooks	Ferguson	Hoey	Nevins	Surpless
Brough	Feth	Holmes	Newton	Todd
Brown	Filley	Hooper	Northrup	Volk
Buckley	Flanagan	Hubbs	Norton	Waddell
Burhyte	Foley C F	Hurd	O'Brian	Wagner
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jackson	Parker	Walters
Cavanaugh	Francis	Jacobs	Patton	Waters
Chamberlain	Ganly	Keller	Phillips	Weber
Cole	Garbe	Lansing	Prentice	Weimert
Collins	Geoghagan	Lee	Ralston	Wells
Colné	Glore	Lewis	Reece	West
Conklin	Gluck	Lowe	Rogers	Whitley
Croak	Glynn	Lupton	Schmidt	Whitney F G
Cunningham	Goldberg	Maher	Schoeneck	Whitney G H
Cuvillier	Green	Mallon	Schultz	Winters
De Groot	Gunderman	Marlatt	Sheridan	Wood
Dobbs	Hackett	Matthews	Shuttleworth	Young
Dominy				

Mr. Merritt moved that said bill be recommitted to the committee on the judiciary, with instructions to report the same forthwith amended as follows:

Amend Assembly bill, printed No. 1050, introduced by Mr. Gray, as follows:

Page 1, line 7, strike out the word "heretofore".

Page 1, line 8, strike out the word "the", first occurring, and insert "any".

Page 1, line 8, strike out all of the line after the word "election" and down to and including the word "six" on line 9 and insert "at which a governor is elected,".

Page 1, line 10, strike out the word "did" and insert "does".

Page 2, line 1 strike out the words "July, nineteen hundred and seven" and insert "August, succeeding,".

Page 2, line 11, strike out the comma at the end of the line.

Page 2, line 12, strike out the words "nineteen hundred and seven" and the comma.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Mead, from the committee on the judiciary, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, May 6, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1325, Int. No. 1120) entitled "An act to incorporate the Barryville and Shohola suspension bridge company in Sullivan county."

CHARLES E. HUGHES.

Said bill having been announced, Mr. G. W. Murphy moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Shuttleworth
Apgar	Dowling	Haines	McCue	Sinclair
Baldwin	Draper	Hamilton	Merritt	Smith A E
Baumann	Dudley	Hammond	Miller	Smith C
Blue	Duell	Harawitz	Mills	Staley
Bohan	Eagleton	Harper	Mooney	Stern
Boshart	Eggleston	Harris	Moreland	Stevenson
Brady	Eichhorn	Hart	Murphy C F	Stratton
Brooks	Farrell	Hastings	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Waddell
Burhyte	Flanagan	Hubbs	Norton	Wagner
Burns	Foley C F	Hurd	O'Brian	Wainwright
Burzynski	Foley J A	Huth	Oliver	Walters
Cavanaugh	Fowler	Jackson	Parker	Waters
Chamberlain	Francis	Jacobs	Patton	Weber
Cole	Ganly	Keller	Phillips	Weimert
Collins	Garbe	Lansing	Prentice	Wells
Colné	Geoghagan	Lee	Ralston	West
Conklin	Glore	Lewis	Reece	Whitley
Croak	Gluck	Lowe	Rogers	Whitney F G
Cunningham	Glynn	Lupton	Schmidt	Whitney G H
Cuvillier	Goldberg	Maher	Schoeneck	Winters
De Groot	Green	Mallon	Schulz	Wood
Dobbs	Gunderman	Marlatt	Sheridan	Young

Mr. G. W. Murphy moved that said bill be recommitted to the committee on the judiciary, with instructions to report the same forthwith amended as follows:

On page 6, line 13, after the word "oxen" insert "and for every automobile".

On page 7, after line 14, insert the following:

"§ 14. The right of the state reasonably to regulate, change or modify the tolls which may be charged upon said bridge is hereby reserved".

On page 7, line 15, strike out "14" and insert "15".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Mead, from the committee on the judiciary, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate returned the Assembly bill (No. 685, Senate reprint No. 1531, Int. No. 642) entitled "An act to authorize and empower the commissioners of the sinking fund of the city of New York to vacate and cancel a certain assessment for pub-

lie improvements upon the real property of Saint Paul's German Evangelical Reformed church," with a message that they have concurred in the passage of the same, with the following amendment:

On line 3 of title, strike out "Evangelican" and insert in lieu thereof "Evangelical".

Mr. Schmidt moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Haines	McCue	Sinclair
Apgar	Draper	Hamilton	Merritt	Smith A E
Baldwin	Dudley	Hammond	Miller	Smith C -
Baumann	Duell	Harawitz	Mills	Smith Myron
Blue	Eagleton	Harper	Mooney	Staley
Bohan	Eggleston	Harris	Moreland	Stern
Boshart	Eichhorn	Hart	Murphy C F	Stevenson
Brady	Farrell	Hastings	Murphy G W	Stratton
Brooks	Ferguson	Hoey	Nevins	Surpless
Brough	Feth	Holmes	Newton	Todd
Brown	Filley	Hooper	Northrup	Volk
Buckley	Flanagan	Hubbs	Norton	Waddell
Burhyte	Foley C F	Hurd	O'Brian	Wagner
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jackson	Parker	Walters
Cavanaugh	Francis	Jacobs	Patton	Waters
Chamberlain	Ganly	Keller	Phillips	Weber
Cole	Garbe	Lansing	Prentice	Weimert
Collins	Geoghagan	Lee	Ralston	Wells
Colné	Glore	Lewis	Reece	West
Conklin	Gluck	Lowe	Rogers	Whitley
Croak	Glynn	Lupton	Schmidt	Whitney F G
Cunningham	Goldberg	Maher	Schoeneck	Whitney G H
Cuvillier	Green	Mallon	Schulz	Winters
De Groot	Gunderman	Marlatt	Sheridan	Wood
Dobbs	Hackett	Matthews	Shuttleworth	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate sent for concurrence the Senate bill (No. 1218, Rec. No. 242) entitled "An act to amend the Greater New York charter, in relation to the fixing of the salaries of members of the supervising and teaching staff of the public schools of the city of New York," with a message that this bill was duly passed by the Senate and Assembly, and was transmitted to the mayor of the city of New York, for a public hearing in said city, as provided by law, and was returned by said mayor, with a message that said bill, after a public hearing thereon, had not been acted by the city nor by the mayor.

Said bill was thereafter and on this day again duly passed, a majority of all the senators elected voting in favor thereof, and three-fifths being present, the President stating the question to be, "Shall this bill pass, notwithstanding the objection of the mayor of the city of New York thereto?"

Debate was had thereon.

Mr. Oliver moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker stated the question to be, "Shall this bill pass, notwithstanding the objections of the mayor of the city of New York thereto?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

AYES 82

NOES 55

Those who voted in the affirmative were:

Allen	Dobbs	Geoghagan	Jacobs	Schoeneck
Apgar	Dominy	Gluck	Keller	Shuttleworth
Baldwin	Donnelly	Glynn	Loos	Sinclair
Baumann	Dowling	Goldberg	Lowe	Smith A E
Blue	Dudley	Hackett	Lupton	Smith Myron
Bohan	Eagleton	Haines	Maher	Stevenson
Boshart	Eggleston	Hamilton	Mallon	Stratton
Brooks	Eichhorn	Hammond	McCue	Todd
Brough	Farrell	Hamn	Merritt	Voss
Burns	Fay	Harawitz	Mooney	Wagner
Cavanaugh	Ferguson	Hoey	Murphy G W	Weimert
Chamberlain	Feth	Holmes	Newton	West
Collins	Filley	Hubbs	Northrup	Whitney G H

Conklin	Foley C F	Hurd	Patton	Winters
Croak	Foley J-A	Huth	Ralston	Wood
Cunningham	Fowler	Jackson	Schmidt	Yale
De Groot	Ganly			

Those who voted in the negative were:

Averill	Francis	Marlatt	Phillips	Stern
Brady	Frisbie	Matthews	Prentice	Surpless
Brown	Green	Miller	Reece	Volk
Buckley	Gunderman	Mills	Robinson	Wainwright
Burhyte	Harper	Moreland	Rogers	Walters
Burzynski	Harris	Morgan	Schulz	Waters
Cole	Hart	Murphy C F	Schwegler	Weber
Colné	Hooper	Nevins	Sheridan	Wells
Cuvillier	Lansing	O'Brian	Smith C	Whitley
Draper	Lee	Oliver	Staley	Whitney F G
Duell	Lewis	Parker	Stanton	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have again concurred in the passage of the same.

By unanimous consent, Mr. Schoeneck called up Assembly bill (No. 2016, Int. No. 1541), entitled "An act in relation to the compensation of village officers of the village Skaneateles."

Said bill having been announced, Mr. Schoeneck moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Shuttleworth
Apgar	Dowling	Haines	McCue	Sinclair
Baldwin	Draper	Hamilton	Merritt	Smith A E
Baumann	Dudley	Hammond	Miller	Smith C
Blue	Duell	Harawitz	Mills	Staley
Bohan	Eagleton	Harper	Mooney	Stern
Boshart	Eggleston	Harris	Moreland	Stevenson
Brady	Eichhorn	Hart	Murphy C F	Stratton
Brooks	Farrell	Hastings	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Waddell
Burhyte	Flanagan	Hubbs	Norton	Wagner
Burns	Foley C F	Hurd	O'Brian	Wainwright
Burzynski	Foley J A	Huth	Oliver	Walters
Cavanaugh	Fowler	Jackson	Parker	Waters
Chamberlain	Francis	Jacobs	Patton	Weber

Cole	Ganly	Keller	Phillips	Weimert
Collins	Garbe	Lansing	Prentice	Wells
Colne	Geoghagan	Lee	Ralston	West
Conklin	Glore	Lewis	Reece	Whitley
Croak	Gluck	Lowe	Rogers	Whitney F G
Cunningham	Glynn	Lupton	Schmidt	Whitney G H
Cuvillier	Goldberg	Maher	Schoeneck	Winters
De Groot	Green	Mallon	Schulz	Wood
Dobbs	Gunderman	Marlatt	Sheridan	Young

Mr. Schoeneck moved that said bill be recommitted to the committee on affairs of villages, with instructions to report the same forthwith amended as follows:

On page 1, line 9, after "compensation" strike out balance of line.

On page 1, strike out all of line 10.

One page 2, strike out all of line 1.

On page 2, line 2, strike out "dollars per year".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hubbs, from the committee on affairs of villages, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. G. H. Whitney offered for the consideration of the House a resolution, in the words following:

Whereas, This House learns with profound regret of the death of Hon. Austin L. Reynolds, who served with distinction as a member of this House from the second district of Saratoga county in the years 1866 and 1867; therefore be it

Resolved, That we extend to the family of the deceased our sincere sympathy, and that when the House adjourns this day it adjourn out of respect to his memory.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Burlyte offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 1296, Senate reprint No. 1348, Int. No. 1091) entitled "An act prohibiting the board of supervisors of the county of Madison from changing the site and location of the Madison county buildings and offices when the site and location of the same shall be designated and approved by a majority of the electors of said county," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Waters offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 870, Senate reprint No. 1221, Int. No. 805) entitled "An act to provide for the paving and improvement of certain streets in the village of Green Island, Albany county, New York, and to provide for the method and means of paying therefor," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *May* 15, 1907.

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 1053, Rec. No. 202) entitled "An act supplementary to chapter one hundred and seven of the laws of eighteen hundred and twenty-one, entitled 'An act declaring a part of the Black river a public highway and for other purposes,' passed March sixteen, eighteen hundred and twenty-one." for the purpose of amendment.

By order of the Senate,

LAFAYETTE B. GLEASON,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill (No. 2118, Int. No. 1412) entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' relative to the appoint-

ment of a deputy commissioner of public works and the submission of a proposition therefor," with a message that this bill was again duly passed, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, the President stating the question to be, "Shall this bill pass notwithstanding the objection of the mayor and the legislative body of the city of Mount Vernon thereto?"

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 2653, Assembly reprint No. 2678, Int. No. 596) entitled "An act to amend chapter five hundred and fifty-three of the Laws of eighteen hundred and ninety-five, entitled 'An act in relation to the Supreme Court in the first judicial district and the Appellate Division thereof in the first department,' in relation to salary of clerks to justices."

Also, the bill (No. 1381, Senate reprint No. 1258, Assembly reprint No. 2671, Int. No. 890) entitled "An act to amend the Penal Code, in relation to the punishment of children under sixteen years of age," with a message that they have reconsidered their vote by which said bills passed, and, as amended, have again passed the same.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the Assembly bill (No. 455, Senate reprint No. 1338, Int. No. 446) entitled "An act to better protect the lives of railroad employees."

Also, Assembly bill (No. 2178, Senate reprint No. 1505, Int. No. 1405) entitled "An act to amend the Forest, Fish and Game Law, in reference to the sale of trout in Oneida and other counties."

Also, Assembly bill (No. 1899, Senate reprint No. 1504, Int. No. 1289) entitled "An act to amend the Tax Law, relative to certain exemptions."

Also, Assembly bill (No. 2248, Senate reprint No. 1596, Int. No. 1266) entitled "An act to provide for the appointment of a State commission of prisons, and defining its powers and duties."

Also, Assembly bill (No. 2213, Senate reprint No. 1564, Int. No. 609) entitled "An act to amend the Labor Law, relative to inspection of mines, tunnels and quarries."

Also, Assembly bill (No. 988, Senate reprint No. 1391, Int.

No. 888) entitled "An act in relation to servers of jury notices in the office of the commissioner of jurors of the county of Kings."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the Assembly bill (No. 1322, Senate reprint No. 1514, Int. No. 1117) entitled "An act regulating and restraining the practice of midwifery in the city of New York."

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the Assembly bill (No. 2010, Senate reprint No. 1538, Int. No. 1535) entitled "An act authorizing and empowering the board of estimate and apportionment of the city of New York, in its discretion, to take action relative to the necessary expenses incurred in relation to acquiring title to property at the foot of Nicholas avenue, borough of Richmond, city of New York."

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the Assembly bill (No. 2302, Senate reprint No. 1489, Int. No. 1517) entitled "An act to amend chapter seven hundred and sixty of the Laws of eighteen hundred and ninety-seven, entitled 'An act to revise the charter of the city of Watertown,' in relation to the liability of the city."

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Watertown.

The Senate returned the Assembly bill (No. 2455, Senate reprint No. 1541, Int. No. 1747) entitled "An act for the relief of the Chapin Home for the Aged and Infirm, to authorize a sale, grant and conveyance of certain property from the city of New York to said the Chapin Home for the Aged and Infirm, and to authorize the sale, grant, conveyance or lease of the property by the Chapin Home for the Aged and Infirm."

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the Assembly bill (No. 1263, Senate reprint No. 1567, Int. No. 661) entitled "An act in relation to gas and electricity in the city of Syracuse."

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Syracuse.

The Senate returned the Senate bill (No. 1094, Assembly reprint No. 2588, Rec. No. 204) entitled "An act to amend section two hundred and twenty-one of the Code of Civil Procedure, relative to the salaries of certain clerks and deputy clerks of the Appellate Divisions of the third and fourth departments," with a message that they concurred in the amendments of the Assembly made thereto.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the bill (No. 2025, Int. No. 1550) entitled "An act providing for State aid to towns under the money system which have failed to levy assessments for poll taxes."

Also, the bill (No. 2475, Int. No. 1665) entitled "An act authorizing an increase in the water storage capacity of Otisco lake and its use as a source of water supply," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the concurrent resolution, returning to the Governor Assembly bill (No. 1296, Senate reprint No. 1348, Int. No. 1091) entitled "An act prohibiting the board of supervisors of the county of Madison from changing the site and location of the Madison county buildings and offices when the site and location of the same shall be designated and approved by a majority of the electors of said county," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution, returning to the Governor Assembly bill (No. 870, Senate reprint No. 1221, Int. No. 805) entitled "An act to provide for the paving and improvement of certain streets in the village of Green Island, Albany county, New York, and to provide for the method and means of paying therefor," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No.

2311, Senate reprint No. 1417, Int. No. 1561) entitled "An act to amend the Greater New York charter, relative to the classification of criminals and misdemeanants," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 1727, Senate reprint No. 1413, Int. No. 848) entitled "An act to amend the Greater New York charter, relating to the office of coroner," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Mead of Albany and Conrady of Kings were excused until Thursday next.

On motion of Mr. Moreland, the House adjourned.

THURSDAY, MAY 16, 1907.

The House met pursuant to adjournment.

Prayer by Rev. Henry N. Dunning.

On motion of Mr. Moreland, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. Waddell gives notice that he requests that Assembly bill (No. 2668, Int. No. 1856) entitled "An act to amend chapter five hundred and sixty-six of the Laws of eighteen hundred and ninety, entitled 'An act in relation to transportation corporations excepting railroad, constituting chapter forty of the general laws,' as amended by chapter six hundred and seventy-eight of the Laws of eighteen hundred and ninety-six, in relation to town contracts with water corporations," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Whitley gives notice that he requests that Assembly bill (No. 1608, Int. No. 1297) entitled "An act to amend chapter

six hundred and twenty-six of the Laws of nineteen hundred and three, entitled 'An act to suspend the limitation of time for commencement of construction or the completion of railroads while in the hands of receivers,' in relation to the application of the acts to certain cities," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Wells gives notice that he requests that Assembly bill (No. 2712, Int. No. 1866) entitled "An act to amend the Greater New York charter, in relation to powers of the police commissioner and fire commissioner to rehear charges and reinstate discharged members," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Robinson gives notice that he requests that Assembly bill (No. 2709, Int. No. 1793) entitled "An act to amend the Greater New York charter, in relation to water rents and expenses of meters and their connections and setting and the time when such charges become liens and the manner of returning the same," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Haines gives notice that he requests that Assembly bill (No. 2727, Int. No. 1874) entitled "An act to prohibit the erection of elevated railroad structures upon certain streets in the city of Yonkers," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Ralston gives notice that he requests that Assembly bill (No. 2053, Int. No. 847) entitled "An act in relation to claims filed in the office of the comptroller or other financial officer of cities of one million inhabitants or over," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Eggleston gives notice that he requests that Assembly bill (No. 2685, Int. No. 1861) entitled "An act to extend the time of Batavia and Northern Railroad Company to begin the construction of its road and to expend thereon ten per centum of its capital and to finish its road and put it in operation," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Francis gives notice that he requests that Assembly bill (No. 2715, Int. No. 1869) entitled "An act to amend the Penal Code, in relation to the punishment for kidnapping," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. G. H. Whitney gives notice that he requests that Assembly bill (No. 2713, Int. No. 1867) entitled "An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled 'An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof,' in relation to increase of the salary of the assistant chief, electrician, and permanent firemen of the fire department of said village," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Shuttleworth gives notice that he requests that the Assembly bill (No. 2708, Int. No. 832) entitled "An act to amend chapter one hundred and ninety-eight, entitled 'An act to provide for the improvement of the public highways, in relation to order of construction,'" a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on third reading.

Mr. Wagner gives notice that he requests that Assembly bill (No. 2725, Int. No. 287) entitled "An act to amend the Code of Civil Procedure, in relation to the City Court of the city of New York, increase of the number of justices, salaries of jus-

tices, the duties of the justices relating to the appointment and removal of clerks, attendants, et cetera, and their duties, and reference to other matters pertaining to the administration of the court," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the the purpose of making said bill a special order on third reading.

Mr. Fowler gives notice that he requests that Assembly bill (No. 2701, Int. No. 1173) entitled "An act to amend chapter seven hundred and forty-seven of the Laws of eighteen hundred and ninety-six, entitled 'An act to revise and consolidate the several acts in relation to the city of Kingston, to revise the charter of said city, and to establish a city court therein and define its jurisdiction and powers,' generally," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Flanagan gives notice that he requests that Assembly bill (No. 2439, Int. No. 1019) entitled "An act to empower the board of assessors of the city of New York to estimate and allow damages sustained by owners of real property fronting upon streets and avenues abutting or approaching the bridge between Jackson avenue in the former town of Newtown, and Broadway, in the former town of Flushing, in the borough of Queens, city of New York, and to provide for payment of awards," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Prentice gives notice that he requests that Senate bill (No. 1138, Rec. No. 268) entitled "An act to amend the Code of Civil Procedure, relative to appointment of stenographers in certain counties," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Francis gives notice that he requests that Senate bill (No. 1254, Rec. No. 278) entitled "An act to amend section four hundred and one of the Penal Code, relative to certain offenses con-

nected with the dispensing and sale of drugs and medicines," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Young gives notice that he requests that the Senate bill (No. 1411, Rec. No. 347) entitled "An act to amend the Tax Law in relation to the taxation of bank shares," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on third reading.

Mr. Young gives notice that he requests that the Senate bill (No. 1198, Rec. No. 262) entitled "An act to amend section three hundred and eighty-two of the Code of Civil Procedure, relative to the statute of limitations," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Francis gives notice that he requests that the Senate bill (No. 1073, Assembly reprint No. 2586, Rec. No. 240) entitled "An act to amend sections three, four, eight and ten of chapter five hundred and fifty-three of the Laws of eighteen hundred and ninety-five, entitled 'An act in relation to the Supreme Court in the first judicial districe and the Appelltae Division thereof in the first department,' as amended by chapter five hundred and seventy-two of the Laws of eighteen hundred and ninety-eight, chapter four hundred and ninety of the Laws of nineteen hundred, and chapter six hundred and forty-three of the Laws of nineteen hundred and six, and to repeal chapter five hundred and nineteen of the Laws of nineteen hundred and four," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Francis gives notice that he requests that Senate bill (No. 1509, Rec. No. 384) entitled "An act providing for the Court of General Sessions of the city and county of New York, its judges and officers," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on

rules for the purpose of making the said bill a special order on second and third reading.

Mr. Francis gives notice that he requests that Senate bill (No. 736, Rec. No. 306) entitled "An act to authorize the extension of Riverside park in the city of New York by filling in certain land under water so as to permit the construction therein of a water gate and monument to Robert Fulton, the inventor of steam navigation, by the corporation known as the Robert Fulton Monument Association of the city of New York," a copy of which is hereto annexed, be made special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Matthews gives notice that he requests that the Senate bill (No. 1032, Rec. No. 302) entitled "An act to release to Sophie Demers, widow of Joseph Demers, all the right, title and interest of the people of the State of New York in and to certain real estate situated in the town of Altamont, county of Franklin and State of New York acquired by escheat or otherwise on the death of said Joseph Demers," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. O'Brien gives notice that he requests that the Senate bill (No. 775, Rec. No. 203) entitled "An act to amend chapter five hundred and ninety-two of the Laws of eighteen hundred and ninety-seven, entitled 'An act in relation to navigation constituting chapter thirty of the general laws,' authorizing temporary assignments of the inspectors of steam vessels to the Department of Labor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Dominy gives notice that he requests that the Senate bill (No. 1460, Rec. No. 356) entitled "An act to amend chapter six hundred and seventy of the Laws of nineteen hundred and six, entitled 'An act to establish a new State prison in the eastern part of the State to take the place of Sing Sing prison; to authorize the Governor to appoint a commission to select and purchase a

site,' in relation to such site and transfer of prisoners thereto, and making an additional appropriation," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Duell gives notice that he requests that the Senate bill (No. 1423, Rec. No. 374) entitled "An act to authorize the city of Mount Vernon to issue bonds for the purpose of defraying a deficiency in the police fund for the fiscal year beginning May first, nineteen hundred and seven," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Haines gives notice that he requests that the Senate bill (No. 1320, Rec. No. 335) entitled "An act to amend chapter four hundred and seventy-three of the Laws of nineteen hundred and six with relation to salaries of officers in second class cities," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Prentice gives notice that he requests that the Senate bill (No. 1368, Rec. No. 349) entitled "An act to amend chapter three hundred and thirty-four of the Laws of nineteen hundred and one, entitled 'An act in relation to tenement houses in cities of the first class,' as heretofore amended, in relation to measuring the height of tenement houses fronting on a part of Riverside avenue, in the city of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Mills gives notice that he requests that Senate bill (No. 526, Rec. No. 359) entitled "An act to amend the Forest, Fish and Game Law, in relation to game protectors," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Burns gives notice that he requests that the Senate bill (No. 1209, Rec. No. 346) entitled "An act to amend chapter four of the Laws of eighteen hundred and ninety-one, entitled 'An act to provide for rapid transit railways in cities of over one million inhabitants,' in relation to the powers of the board of commissioners of the sinking fund in cities of said class, to prescribe the rate of interest on bonds issued for the construction and equipment of rapid transit railways," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Burns gives notice that he requests that the Senate bill (No. 1437, Rec. No. 345) entitled "An act to amend the Greater New York charter, in relation to the power of the board of commissioners of the sinking fund to fix the rate of interest payable on corporate stock and bonds of the city of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Mills gives notice that he requests that Senate bill (No. 1007, Rec. No. 315) entitled "An act to amend the Forest, Fish and Game Law, relative to the close season for plover and other birds," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. C. F. Foley gives notice that he requests that the Senate bill (No. 1497, Rec. No. 338) entitled "An act to revise the charter of the city of North Tonawanda," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

The Senate sent for concurrence the following entitled bill:

"An act to amend the Tax Law, relative to investment in State bonds by savings banks, trust companies and insurance companies" (No. 1171, Rec. No. 395), which was read the first time and referred to the committee on taxation and retrenchment.

By unanimous consent, Mr. Flanagan introduced a bill

entitled "An act to authorize the board of estimate and apportionment of the city of New York to award a pension to William Baungarten" (Int. No. 1902), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Hooper introduced a bill entitled "An act to legalize, ratify and confirm the proceedings of the electors and board of education of union free school district number one, of the town of Schroon, in the county of Essex, relative to the levy of taxes, and the issuance and sale of bonds," (Int. No. 1903), which was read the first time and referred to the committee on internal affairs.

By unanimous consent, Mr. Fowler introduced a bill entitled "An act to amend the Highway Law, in relation to assessment of poll tax," (Int. No. 1904), which was read the first time and referred to the committee on internal affairs.

By unanimous consent, Mr. Cuvillier introduced a bill entitled "An act to amend the Greater New York charter relative to the salaries of officers" (Int. No. 1905), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Haines introduced a bill entitled "An act to amend title two of chapter six hundred and thirty-five of the Laws of eighteen hundred and ninety-five, entitled, 'An act to revise the charter of the city of Yonkers relative to the ———— office of city judge'" (Int. No. 1906), which was read the first time and referred to the committee on affairs of cities.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Waddell (No. 2668, Int. No. 1856), entitled "An act to amend chapter five hundred and sixty-six of the Laws of eighteen hundred and ninety, entitled 'An act in relation to transportation corporations excepting railroad, constituting chapter forty of the general laws,' as amended by chapter six hundred and ninety-six, in relation to town contracts with water corporations."

Also, Assembly bill introduced by Mr. Whitley (No. 1608, Int. No. 1297), entitled "An act to amend chapter six hundred and twenty-six of the Laws of nineteen hundred and three, entitled 'An act to suspend the limitation of time for commence-

ment of construction or the completion of railroads while in the hands of receivers,' in relation to the application of the acts to certain cities."

Also, Assembly bill introduced by Mr. Robinson (No. 2709, Int. No. 1793), entitled "An act to amend the Greater New York charter, in relation to water rents and expenses of meters and their connections and setting the time when such charges become liens and the manner of returning the same."

Also, Assembly bill introduced by Mr. Wells (No. 2712, Int. No. 1866), entitled "An act to amend the Greater New York charter, in relation to powers of the police commissioner and fire commissioner to rehear charges and reinstate discharged members."

Also, Assembly bill introduced by Mr. Haines (No. 2727, Int. No. 1874), entitled "An act to prohibit the erection of elevated railroad structures upon certain streets in the city of Yonkers."

Also, Assembly bill introduced by Mr. Ralston (No. 2053, Int. No. 847), entitled "An act in relation to claims filed in the office of the comptroller or other financial officer of cities of one million inhabitants or over."

Also, Assembly bill introduced by Mr. Eggleston (No. 2685, Int. No. 1861), entitled "An act to extend the time of the Batavia and Northern Railroad Company to begin the construction of its road and to expend thereon ten per centum of its capital and to finish its road and put it in operation."

Also, Assembly bill introduced by Mr. Francis (No. 2715, Int. No. 1869), entitled "An act to amend the Penal Code, in relation to the punishment for kidnapping."

Also, Assembly bill introduced by Mr. G. H. Whitney (No. 2713, Int. No. 1867), entitled "An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled 'An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof,' in relation to increase of the salary of the assistant chief, electrician and permanent firemen of the fire department of said village."

Also, Assembly bill introduced by Mr. Shuttleworth (No. 2708, Int. No. 822), entitled "An act to amend chapter one hundred and fifteen of the Laws of eighteen hundred and ninety-eight,

entitled 'An act to provide for the improvement of the public highways,' in relation to order of construction," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special order on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Wagner (No. 2725, Int. No. 287), entitled "An act to amend the Code of Civil Procedure, in relation to the City Court of the city of New York, increase of the number of justices; salaries of justices; the duties of justices relating to the appointment and removal of clerks, attendants, et cetera, and their duties, and reference to other matters pertaining to the administration of the court."

Also, Assembly bill introduced by Mr. Fowler (No. 2701, Int. No. 1173), entitled "An act to amend chapter seven hundred and forty-seven of the Laws of eighteen hundred and ninety-six, entitled 'An act to revise and consolidate the several acts in relation to the city of Kingston, to revise the charter of said city, and to establish a City Court therein and define its jurisdiction and powers,' generally."

Also, Assembly bill introduced by Mr. Flanagan (No. 2439, Int. No. 1019), entitled "An act to empower the board of assessors of the city of New York to estimate and allow damages sustained by owners of real property fronting upon streets and avenues abutting or approaching the bridge between Jackson avenue, in the former town of Newtown, and Broadway, in the former town of Flushing, in the borough of Queens, city of New York, and to provide for payment of awards," reported in favor of the passage of the same without amendment, and that the same be made a special order on third reading immediately, which report was agreed to, and said bills ordered made special orders on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Taylor (No. 1138, Rec. No.

268), entitled "An act to amend the Code of Civil Procedure, relative to appointment of stenographers in certain counties."

Also, Senate bill introduced by Mr. Page (No. 1254, Rec. No. 278), entitled "An act to amend section four hundred and one of the Penal Code, relative to certain offenses connected with the dispensing and sale of drugs and medicines."

Also, Senate bill introduced by Mr. Saxe (No. 1411, Rec. No. 347), entitled "An act to amend the Tax Law, in relation to the taxation of bank shares."

Also, Senate bill introduced by Mr. Saxe (No. 1198, Rec. No. 262), entitled "An act to amend section three hundred and eighty-two of the Code of Civil Procedure, relative to the statute of limitations."

Also, Senate bill introduced by Mr. Page (No. 1509, Rec. No. 384), entitled "An act providing for the Court of General Sessions of the city and county of New York, its judges and officers."

Also, Senate bill introduced by Mr. Page (No. 1073, Assembly reprint No. 2586, Rec. No. 240), entitled "An act to amend sections three, four, eight and ten of chapter five hundred and fifty-three of the Laws of eighteen hundred and ninety-five, entitled 'An act in relation to the Supreme Court in the first judicial district, and the Appellate Division thereof in the first department,' as amended by chapter five hundred and seventy-two of the Laws of eighteen hundred and ninety-eight, chapter four hundred and ninety of the Laws of nineteen hundred, and chapter six hundred and forty-three of the Laws of nineteen hundred and six, and to repeal chapter five hundred and nineteen of the Laws of nineteen hundred and four."

Also, Senate bill introduced by Mr. O'Neil (No. 1032, Rec. No. 302), entitled "An act to release to Sophie Demers, widow of Joseph Demers, all the right, title and interest of the people of the State of New York, in and to certain real estate situated in the town of Altamont, county of Franklin, and State of New York, acquired by escheat or otherwise on the death of said Joseph Demers."

Also, Senate bill introduced by Mr. Page (No. 736, Rec. No. 306), entitled "An act to authorize the extension of Riverside

park in the city of New York by filling in certain land under water, so as to permit the construction therein of a water gate and monument to Robert Fulton, the inventor of steam navigation, by the corporation known as the Robert Fulton Monument Association of the city of New York."

Also, Senate bill introduced by Mr. Davis (No. 775, Rec. No. 203), entitled "An act to amend chapter five hundred and ninety-two of the Laws of eighteen hundred and ninety-seven, entitled 'An act in relation to navigation, constituting chapter thirty of the general laws,' authorizing temporary assignments of the inspectors of steam vessels to the Department of Labor."

Also, Senate bill introduced by Mr. Knapp (No. 1460, Rec. No. 356), entitled "An act to amend chapter six hundred and seventy of the Laws of nineteen hundred and six, entitled 'An act to establish a new State prison in the eastern part of the State to take the place of Sing Sing prison; to authorize the Governor to appoint a commission to select and purchase a site,' in relation to such site and transfer of prisoners thereto, and making an additional appropriation."

Also, Senate bill introduced by Mr. Carpenter (No. 1423, Rec. No. 374), entitled "An act to authorize the city of Mount Vernon to issue bonds for the purpose of defraying a deficiency in the police fund for the fiscal year beginning May first, nineteen hundred and seven."

Also, Senate bill introduced by Mr. Carpenter (No. 1320, Rec. No. 335), entitled "An act to amend chapter four hundred and seventy-three of the Laws of nineteen hundred and six, with relation to salaries of officers in second class cities."

Also, Senate bill introduced by Mr. Agnew (No. 1368, Assembly reprint No. 2724, Rec. No. 349), entitled "An act to amend chapter three hundred and thirty-four of the Laws of nineteen hundred and one, entitled 'An act in relation to tenement houses in cities of the first class,' as heretofore amended, in relation to measuring the height of tenement houses fronting on a part of Riverside avenue, in the city of New York."

Also, Senate bill introduced by Mr. Armstrong (No. 526, Rec. No. 359), entitled "An act to amend the Forest, Fish and Game Law, in relation to game protectors."

Also, Senate bill introduced by Mr. McCarren (No. 1487, Rec. No. 345), entitled "An act to amend the Greater New York charter, in relation to the power of the board of commissioners of the sinking fund to fix the rate of interest payable on corporate stock and bonds of the city of New York."

Also, Senate bill introduced by Mr. McCarren (No. 1209, Rec. No. 346), entitled "An act to amend chapter four of the Laws of eighteen hundred and ninety-one, entitled 'An act to provide for rapid transit railways in cities of over one million inhabitants,' in relation to the powers of the board of commissioners of the sinking fund in cities of said class, to prescribe the rate of interest on bonds issued for the construction and equipment of rapid transit railways."

Reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill introduced by Mr. Cobb (No. 1007, Rec. No. 315), entitled "An act to amend the Forest, Fish and Game Law, relative to the close season for plover and other birds," reported the same with the following amendment:

Page 1, line 7, after the word "plover" insert the following: "native to the United States and Canada",

and requests that said bill be reprinted, as amended, and recommitted to said committee.

Which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill introduced by Mr. Franchot (No. 1497, Rec. No. 338), entitled "An act to revise the charter of the city of North Tonawanda," reported in favor of the passage of the same, with the following amendments:

Page 11, strike out all of line 7 after the word "dollars" and all of lines 8 to 21, both inclusive, and insert in place thereof the following:

"The common council shall have the power to fix and change the salaries of all officers of the city, including such as are fixed by this act, but every such salary shall be fixed by resolution at least four months before the beginning of the term of office to which it belongs, and shall not be increased or diminished during the continuance of such term of office. Every resolution fixing or changing a salary shall be published, after its introduction and before being finally acted upon, in one or more newspapers in the city once a week for four successive weeks. The common council shall not have the power to provide for any salary or compensation whatsoever for any officer who by the provisions of this act is required to serve without pay".

Page 91, strike out all of line 6 after the word "accrued" and all of lines 7 to 25, both inclusive, and insert in place thereof the following:

"An action shall not be maintained for damages or injuries to the person sustained in consequence of the existence of snow or ice upon any sidewalk, crosswalk or street, unless written notice thereof relating to the particular place, was actually given to the common council and there was a failure or neglect to cause such snow or ice to be removed, or the place otherwise made reasonably safe within a reasonable time after the receipt of such notice. All claims against the city for damages or injuries to person or property alleged to have been caused by the misfeasance or negligence of the city, or any of its officers or employes, shall be presented to the common council in writing, within sixty days after the happening of the accident or injury out of which the claim arose. Such writing shall describe the time when, the particular place where and the circumstances under which the damages or injuries were sustained and the cause thereof; it shall also state, so far as then practicable, the nature and extent of the damages or injuries; shall also state the place of residence of the claimant by street and number, and, if there be no street or number, it shall contain such statement as will disclose the place of residence, and all such claims shall be verified by the oath of claimants. The omission to present such claim within sixty days from such alleged injuries and to commence an action thereon within one year from the time of such alleged injuries, shall be a bar to any claim or action therefor against the city; but no action shall be brought upon any such claim until three months have elapsed after the presentation of the claim to the common council. Nothing contained in this section shall be held to repeal or modify any existing requirement or statute of limitations which is applicable to this class of actions, but on the contrary shall be held to be an additional requirement for the right to maintain such action; nor shall anything herein

contained be held to modify any existing rule of law relative to the question of contributory negligence, nor to impose upon the city any greater duty or obligation than that it shall keep its streets and public places in a reasonably safe condition for public use and travel. Every process commencing an action against the city shall be served on the mayor of the city, and not otherwise. A two-thirds majority of the common council shall have the power, subject to the approval of the mayor, to pay, compromise or settle any such claim which may be made against the city for damages, provided such claim is presented within the time, and in the manner hereinbefore prescribed, and the sum or sums so expended shall be included in the amount to be raised by tax for general purposes, as hereinafter provided."

and that the same be reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days, it be made a special order on second and third reading immediately after consideration of the special orders on third reading theretofore reported.

Which report was agreed to, and said bill ordered reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. West, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to fix and establish the annual salary of the surrogate of Kings county and repealing section two hundred and twenty-two of chapter six hundred and eighty-six of the Laws of eighteen hundred and ninety-two in so far as it relates to Kings county." (No. 1620, Int. No. 1311.)

"An act to amend the Primary Election Law, relative to annual primary day." (No. 2695, Int. No. 1810.)

"An act to legalize and confirm the acts and proceedings of the trustees and voters of union free school district number one, town of Hammond, Saint Lawrence county, New York, relative to certain tax and issue and sale of certain bonds of said district." (No. 2667, Int. No. 1857.)

"An act to amend an act in relation to the traffic in liquors, and for the taxation and regulation of the same, and to provide

for local option, constituting chapter twenty-nine of the general laws." (No. 2674, Int. No. 1294.)

"An act to amend the Liquor Tax Law, in relation to excepting State hospitals from the prohibition as to places in which traffic in liquor shall not be permitted." (No. 2661, Int. No. 1584.)

"An act to amend chapter three hundred and twenty-one of the Laws of eighteen hundred and ninety-eight, entitled "An act to make the office of sheriff of Oneida county a salaried office, and to regulate the management thereof," relative to the appointment and compensation of an office deputy." (No. 2694, Rec. No. 332.)

"An act to validate the tax roll and levy of the village of Pine Hill, county of Ulster, for the year nineteen hundred and seven." (No. 2683, Int. No. 1859.)

"An act to provide for preserving the waters of the Bronx river from pollution; creating a reservation of the lands on either side of the river; authorizing the taking of lands for that purpose and providing for the payment thereof, and appointing a commission to carry out the purposes of the act." (No. 2542, Rec. No. 263.)

Mr. Speaker announced the special order, being the bill (No. 2720, entitled "An act to incorporate the city of Port Jervis." (Int. No. 1760.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hammond	Merritt	Sinclair
Averill	Dudley	Hamn	Miller	Smith A E.
Baldwin	Duell	Harawitz	Mills	Smith C
Blue	Eagleton	Harper	Mooney	Smith Myron
Bohan	Eggleston	Harris	Morgan	Staley
Boshart	Eichhorn	Hart	Murphy C F	Stern
Brady	Ferguson	Hastings	Murphy G W	Stevenson

Brooks	Feth	Hoey	Nevins	Stratton
Brough	Filley	Holmes	Newton	Surpless
Brown	Flanagan	Hooper	Northrup	Todd
Buckley	Foley C F	Hubbs	Norton	Volk
Burhyte	Foley J A	Hurd	O'Brian	Voss
Burns	Fowler	Jackson	Oliver	Waddell
Burzynski	Francis	Keller	Parker	Wagner
Cavanaugh	Frisbie	Lansing	Patton	Walters
Chamberlain	Ganly	Lee	Phillips	Waters
Cole	Garbe	Lewis	Prince	Weber
Colné	Geoghagan	Loos	Ralston	Weimert
Conklin	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	West
Cunningham	Glynn	Maher	Rogers	Whitley
Cuvillier	Goldberg	Mallon	Schmidt	Whitney F G
De Groot	Gray	Mance	Schoeneck	Whitney G H
Dobbs	Green	Marlatt	Schulz	Wood
Dominy	Gunderman	Matthews	Sheridan	Yale
Donnelly	Hackett	McCue	Shuttleworth	Young
Dowling	Hamilton			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2730) entitled "An act to amend chapter three hundred of the Laws of nineteen hundred and four, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls,' in relation to the establishment of an industrial commission for said city." (Int. No. 1580.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hammond	Mead	Shuttleworth
Averill	Dudley	Hamn	Merritt	Sinclair
Baldwin	Duell	Harawitz	Miller	Smith A E
Blue	Eagleton	Harper	Mills	Smith C
Bohan	Eggleston	Harris	Mooney	Staley
Boshart	Eichhorn	Hart	Morgan	Stern
Brady	Ferguson	Hastings	Murphy C F	Stevenson
Brooks	Feth	Hoey	Murphy G W	Stratton
Brough	Filley	Holmes	Nevins	Surpless
Brown	Flanagan	Hooper	Newton	Todd
Buckley	Foley C F	Hubbs	Northrup	Volk

Burhyte	Foley J A	Hurd	Norton	Voss
Burns	Fowler	Jackson	O'Brian	Waddell
Burzynski	Francis	Keller	Oliver	Wagner
Cavanaugh	Frisbie	Lansing	Parker	Walters
Chamberlain	Ganly	Lee	Patton	Waters
Cole	Garbe	Lewis	Phillips	Weber
Colné	Geoghagan	Loos	Prince	Weimert
Conklin	Glore	Lowe	Ralston	Wells
Croak	Gluck	Lupton	Reece	West
Cunningham	Glynn	Maher	Robinson	Whitley
Cuvillier	Goldberg	Mallon	Rogers	Whitney F G
De Groot	Gray	Mance	Schmidt	Whitney G H
Dobbs	Green	Marlatt	Schoeneck	Wood
Dominy	Gunderman	Matthews	Schulz	Yale
Donnelly	Hackett	McCue	Sheridan	Young
Dowling	Hamilton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the bill (No. 2729) entitled "An act to amend chapter three hundred and fifty-seven of the Laws of nineteen hundred and five, entitled 'An act to revise the several acts relative to the city of Tonawanda,' generally." (Int. No. 1184.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell

Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colne	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Youn
Donnelly	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the bill (No. 2700) entitled "An act to establish a ferry from the highway adjacent to the farm of George H. Huber, in the county of Essex, across Lake Champlain." (Int. No. 477.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber

Colné	Garbe	Lewis	Prince	Weimert]
Conklin	Geoghagan	Loos	Ralston	Wells
Conrad	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the bill (No. 2707) entitled "An act to amend subdivision five of section thirty of chapter one hundred and twelve of the Laws of eighteen hundred and ninety-six, entitled 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same, and to provide for local option,' constituting chapter twenty-nine of the general laws,' in relation to persons to whom liquor shall not be sold or given away." (Int. No. 1817.)

On motion of Mr. Moreland, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk

Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2711) entitled "An act to amend the Public Health Law, in relation to adulteration and misbranding of drugs and liquors." (Int. No. 1820.)

Said bill having been announced for a second reading, on motion of Mr. Wainwright, said bill was recommitted to the committee on rules, retaining its place on the order of second reading.

Mr. Speaker announced the special order, being the bill (No. 2706) entitled "An act to amend the Greater New York charter relative to inspection of boilers and engines and the qualification and licensing of engineers." (Int. No. 959.)

On motion of Mr. Reece, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 3

Those who voted in the affirmative were:

Allen	Dudley	Hamn	Merritt	Sinclair
Averill	Duell	Harawitz	Miller	Smith A E
Baldwin	Eagleton	Harper	Mills	Smith C
Blue	Eggleston	Harris	Mooney	Smith Myron

Bohan	Eichhorn	Hart	Morgan	Staley
Brady	Ferguson	Hastings	Murphy C F	Stern
Brooks	Feth	Hoey	Murphy G W	Stevenson
Brough	Filley	Holmes	Nevins	Stratton
Brown	Flanagan	Hooper	Newton	Surpless
Buckley	Foley C F	Hubbs	Northrup	Todd
Burhyte	Foley J A	Hurd	Norton	Volk
Burns	Fowler	Jackson	O'Brian	Voss
Burzynski	Francis	Keller	Oliver	Waddell
Cavanaugh	Frisbie	Lansing	Parker	Wagner
Chamberlain	Ganly	Lee	Patton	Walters
Cole	Garbe	Lewis	Phillips	Waters
Colné	Geoghagan	Loos	Prince	Weber
Conklin	Glore	Lowe	Ralston	Weimert
Conrad	Gluck	Lupton	Reece	Wells
Croak	Glynn	Maher	Robinson	West
Cunningham	Goldberg	Mallon	Rogers	Whitley
Cuvillier	Gray	Mance	Schmidt	Whitney F G
De Groot	Green	Marlatt	Schoeneck	Whitney G H
Dobbs	Gunderman	Matthews	Schulz	Wood
Dominy	Hackett	McCue	Sheridan	Yale
Donnelly	Hamilton	Mead	Shuttleworth	Young
Draper	Hammond			

Those who voted in the negative were:

Boshart	Dowling	Prentice
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Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2696) entitled "An act to amend the Public Health Law, in relation to adulteration and misbranding of drugs and liquors." (Int. No. 1566.)

Said bill having been announced for a second reading, on motion of Mr. Wainwright, said bill was recommitted to the committee on rules, retaining its place on the order of second reading.

Mr. Speaker announced the special order, being the Senate bill (No. 1228, Assembly reprint No. 2693) entitled "An act to provide for the continuance of the index systems now employed by the county clerk and the surrogate of Oneida county to cover the entire files of papers in their respective offices and for the removal of the files and records kept in those offices to the new county building in the city of Utica and to provide for the expenses thereof." (Rec. No. 334.)

Said bill having been announced for second reading, Mr. Lewis moved to amend as follows:

Page 2, line 5, after word "county" insert "and in the discharge of this duty said clerk and surrogate are hereby authorized to hire such person or persons as are qualified to perform said work."

Page 2, line 14, after word "offices" insert "and in the discharge of this duty said clerk and surrogate are hereby authorized to hire such person or persons as are qualified to perform said work."

Page 2, line 18, after word "act" insert "and on order of a judge of the supreme court."

Page 2, line 19, after word "Oneida" insert "not affecting the titles or title to real estate or personal property".

Page 2, line 19, strike out word "[their]" and insert word "the".

Page 2, line 19, after word "opinion" insert words "of said judge issuing order".

Page 2, line 23, after "period" following word "work" insert ", and the expense thereof shall be a charge upon the county of Oneida".

Page 3, line 5, strike out word "[thereof]" and insert words "of this act".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to special order, second and third reading.

Mr. Speaker announced the special order, being the bill (No. 2701) entitled "An act to amend chapter seven hundred and forty-seven of the Laws of eighteen hundred and ninety-six, entitled 'An act to revise and consolidate the several acts in relation to the city of Kingston, to revise the charter of said city, and to establish a city court therein and define its jurisdiction and powers,' generally." (Int. No. 1173.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hammond	Merritt	Sinclair
Averill	Dudley	Hamn	Miller	Smith A E
Baldwin	Duell	Harawitz	Mills	Smith C
Blue	Eagleton	Harper	Mooney	Smith Myron
Bohan	Eggleston	Harris	Morgan	Staley
Boshart	Eichhorn	Hart	Murphy C F	Stern
Brady	Ferguson	Hastings	Murphy G W	Stevenson
Brooks	Feth	Hoey	Nevins	Stratton
Brough	Filley	Holmes	Newton	Surpless
Brown	Flanagan	Hooper	Northrup	Todd
Buckley	Foley C F	Hubbs	Norton	Volk
Burhyte	Foley J A	Hurd	O'Brian	Voss
Burns	Fowler	Jackson	Oliver	Waddell
Burzynski	Francis	Keller	Parker	Wagner
Cavanaugh	Frisbie	Lansing	Patton	Walters
Chamberlain	Ganly	Lee	Phillips	Waters
Cole	Garbe	Lewis	Prince	Weber
Colné	Geoghagan	Loos	Ralston	Weimert
Conklin	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	West
Cunningham	Glynn	Maher	Rogers	Whitley
Cuvillier	Goldberg	Mallon	Schmidt	Whitney F G
De Groot	Gray	Mance	Schoeneck	Whitney G H
Dobbs	Green	Marlatt	Schulz	Wood
Dominy	Gunderman	Matthews	Sheridan	Yale
Donnelly	Hackett	McCue	Shuttleworth	Young
Dowling	Hamilton	Mead		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the bill (No. 2439) entitled "An act to empower the board of assessors of the city of New York to estimate and allow damages sustained by owners of real property fronting upon streets and avenues abutting or approaching the bridge between Jackson avenue, in the former town of Newton, and Broadway, in the former town of Flushing, in the borough of Queens, city of New York, and to provide for payment of awards." (Int. No. 1019.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hammond	Mead	Shuttleworth
Averill	Dudley	Hamn	Merritt	Sinclair
Baldwin	Duell	Harawitz	Miller	Smith A E
Blue	Eagleton	Harper	Mills	Smith C
Bohan	Eggleston	Harris	Mooney	Staley
Boshart	Eichhorn	Hart	Morgan	Stern
Brady	Ferguson	Hastings	Murphy C F	Stevenson
Brooks	Feth	Hoey	Murphy G W	Stratton
Brough	Filley	Holmes	Nevins	Surpless
Brown	Flanagan	Hooper	Newton	Todd
Buckley	Foley C F	Hubbs	Northrup	Volk
Burhyte	Foley J A	Hurd	Norton	Voss
Burns	Fowler	Jackson	O'Brian	Waddell
Burzynski	Francis	Keller	Oliver	Wagner
Cavanaugh	Frisbie	Lansing	Parker	Walters
Chamberlain	Ganly	Lee	Patton	Waters
Cole	Garbe	Lewis	Phillips	Weber
Colné	Geoghagan	Loos	Prince	Weimert
Conklin	Glore	Lowe	Ralston	Wells
Croak	Gluck	Lupton	Reece	West
Cunningham	Glynn	Maher	Robinson	Whitley
Cuvillier	Goldberg	Mallon	Rogers	Whitney F G
De Groot	Gray	Mance	Schmidt	Whitney G H
Dobbs	Green	Marlatt	Schoeneck	Wood
Dominy	Gunderman	Matthews	Schulz	Yale
Donnelly	Hackett	McCue	Sheridan	Young
Dowling	Hamilton			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order being the bill (No. 2725) entitled "An act to amend the Code of Civil Procedure, in relation to the City Court of the city of New York; increase of the number of justices; salaries of justices; the duties of the justices relating to the appointment and removal of clerks, attendants, et cetera, and their duties, and reference to other matters of the court." (Int. No. 287.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hammond	Merritt	Sinclair
Averill	Dudley	Hamn	Miller	Smith A E
Baldwin	Duell	Harawitz	Mills	Smith C
Blue	Eagleton	Harper	Mooney	Smith Myron
Bohan	Eggleston	Harris	Morgan	Staley
Boshart	Eichhorn	Hart	Murphy C F	Stern
Brady	Ferguson	Hastings	Murphy G W	Stevenson
Brooks	Feth	Hoey	Nevins	Stratton
Brough	Filley	Holmes	Newton	Surpluss
Brown	Flanagan	Hooper	Northrup	Todd
Buckley	Foley C F	Hubbs	Norton	Volk
Burhyte	Foley J A	Hurd	O'Brian	Voss
Burns	Fowler	Jackson	Oliver	Waddell
Burzynski	Francis	Keller	Parker	Wagner
Cavanaugh	Frisbie	Lansing	Patton	Walters
Chamberlain	Ganly	Lee	Phillips	Waters
Cole	Garbe	Lewis	Prince	Weber
Colné	Geoghagan	Loos	Ralston	Weimert
Conklin	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	West
Cunningham	Glynn	Maher	Rogers	Whitley
Cuvillier	Goldberg	Mallon	Schmidt	Whitney F G
De Groot	Gray	Mance	Schoeneck	Whitney G H
Dobbs	Green	Marlatt	Schulz	Wood
Dominy	Gunderman	Matthews	Sheridan	Yale
Donnelly	Hackett	McCue	Shuttleworth	Young
Dowling	Hamilton			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2731) entitled "An act to revise and amend the charter of the city of Jamestown." (Int. No. 1301.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron

Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colne	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the bill (No. 2713) entitled "An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled 'An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof,' in relation to increase of the salary of the assistant chief, electrician and permanent firemen of the fire department of said village." (Int. No. 1867.)

On motion of Mr. G. H. Whitney, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hackett	Matthews	Shuttleworth
Averill	Draper	Hamilton	McCue	Sinclair
Baldwin	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Hamn	Miller	Smith C
Bohan	Eagleton	Harawitz	Mills	Staley
Boshart	Eggleston	Harper	Mooney	Stern
Brady	Eichhorn	Harris	Morgan	Stevenson
Brooks	Ferguson	Hart	Murphy C F	Stratton
Brough	Feth	Hastings	Murphy G W	Surplless
Brown	Filley	Hoey	Nevins	Todd
Buckley	Flanagan	Holmes	Northrup	Volk
Burhyte	Foley C F	Hooper	Norton	Voss
Burns	Foley J A	Hubbs	O'Brian	Waddell
Burzynski	Fowler	Hurd	Oliver	Wagner
Cavanaugh	Francis	Jackson	Parker	Walters
Chamberlain	Frisbie	Keller	Patton	Waters
Cole	Ganly	Lansing	Phillips	Weber
Colné	Garbe	Lee	Prince	Weimert
Conklin	Geoghagan	Lewis	Ralston	Wells
Croak	Glore	Loos	Reece	West
Cunningham	Gluck	Lowe	Robinson	Whitley
Cuvillier	Glynn	Lupton	Rogers	Whitney F G
De Groot	Goldberg	Maher	Schmidt	Whitney G H
Dobbs	Gray	Mallon	Schoeneck	Wood
Dominy	Green	Mance	Schulz	Yale
Donnelly	Gunderman	Marlatt	Sheridan	Young

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2708) entitled "An act to amend chapter one hundred and fifteen of the Laws of eighteen hundred and ninety-eight, entitled 'An act to provide for the improvement of the public highways,' in relation to order of construction." (Int. No. 832.)

On motion of Mr. Shuttleworth, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hammond	Mead	Shuttleworth
Averi	Dudley	Hamn	Merritt	Sinclair
Baldwi	Duell	Harawitz	Miller	Smith A E
Blue	Eagleton	Harper	Mills	Smith C
Bohan	Eggleston	Harris	Mooney	Staley
Boshart	Eichhorn	Hart	Morgan	Stern
Brady	Ferguson	Hastings	Murphy C F	Stevensoa
Brooks	Feth	Hoey	Murphy G W	Stratton
Brough	Filley	Holmes	Nevins	Surpless
Brown	Flanagan	Hooper	Newton	Todd
Buckley	Foley C F	Hubbs	Northrup	Volk
Burhyt	Foley J A	Hurd	Norton	Voss
Burns	Fowler	Jackson	O'Brian	Waddell
Burzynski	Francis	Keller	Oliver	Wagner
Cavanaugh	Frisbie	Lansing	Parker	Walters
Chamberlain	Garly	Lee	Patton	Waters
Cole	Garbe	Lewis	Phillips	Weber
Colné	Geoghagan	Loos	Prince	Weimert
Conklin	Glore	Lowe	Ralston	Wells
Croak	Gluck	Lupton	Reece	West
Cunningham	Glynn	Maher	Robinson	Whitley
Cuvillier	Goldberg	Mallon	Rogers	Whitney F G
De Groot	Gray	Mance	Schmidt	Whitney G H
Dobbs	Green	Marlatt	Schoeneck	Wood
Dominy	Gunderman	Matthews	Schulz	Yale
Donnelly	Hackett	McCue	Sheridan	Young
Dowling	Hamilton			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2685) entitled "An act to extend the time of the Batavia and Northern Railroad Company to begin the construction of its road and to spend thereon ten per centum of its capital, and to finish its road and put it in operation." (Int. No. 1861.)

On motion of Mr. Eggleston, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 2

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Norton	Volk
Burhyte	Foley C F	Hubbs	O'Brian	Voss
Burns	Foley J A	Hurd	Oliver	Waddell
Burzynski	Fowler	Jackson	Parker	Wagner
Cavanaugh	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prince	Weber
Colné	Garbe	Lewis	Ralston	Weimert
Conklin	Geoghagan	Loos	Reece	Wells
Conrady	Glore	Lowe	Robinson	West
Crack	Gluck	Lupton	Rogers	Whitley
Cunningham	Glynn	Maher	Schmidt	Whitney F G
Cuvillier	Goldberg	Mallon	Schoeneck	Whitney G H
De Groot	Gray	Mance	Schulz	Wood
Dobbs	Green	Marlatt	Sheridan	Yale
Dominy	Gunderman	Matthews	Shuttleworth	Young
Donnelly	Hackett	McCue		

Those who voted in the negative were:

Moreland Northrup

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2715) entitled "An act to amend the Penal Code, in relation to the punishment for kidnapping." (Int. No. 1869.)

On motion of Mr. Francis, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hammond	Merritt	Sinclair
Averill	Dudley	Hamn	Miller	Smith A E
Baldwin	Duell	Harawitz	Mills	Smith C
Blue	Eagleton	Harper	Mooney	Smith Myron
Bohan	Eggleston	Harris	Morgan	Staley
Boshart	Eichhorn	Hart	Murphy C F	Stern
Brady	Ferguson	Hastings	Murphy G W	Stevenson
Brooks	Feth	Hoey	Nevins	Stratton
Brough	Filley	Holmes	Newton	Surpless
Brown	Flanagan	Hooper	Northrup	Todd
Buckley	Foley C F	Hubbs	Norton	Volk
Burhyte	Foley J A	Hurd	O'Brian	Voss
Burns	Fowler	Jackson	Oliver	Waddell
Burzynski	Francis	Keller	Parker	Wagner
Cavanaugh	Frisbie	Lansing	Patton	Walters
Chamberlain	Ganly	Lee	Phillips	Waters
Cole	Garbe	Lewis	Prince	Weber
Colné	Geoghagan	Loos	Ralston	Weimert
Conklin	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	West
Cunningham	Glynn	Maher	Rogers	Whitley
Cuvillier	Goldberg	Mallon	Schmidt	Whitney F G
De Groot	Gray	Mance	Schoeneck	Whitney G H
Dobbs	Green	Marlatt	Schulz	Wood
Dominy	Gunderman	Matthews	Sheridan	Yale
Donnelly	Hackett	McCue	Shuttleworth	Young
Dowling	Hamilton			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2727) entitled "An act to prohibit the erection of elevated railroad structures upon certain streets in the city of Yonkers." (Int. No. 1874.)

On motion of Mr. Haines, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hammond	Merritt	Sinclair
Averill	Dudley	Hamn	Miller	Smith A E
Baldwin	Duell	Harawitz	Mills	Smith C
Blue	Eagleton	Harper	Mooney	Smith Myron
Bohan	Eggleston	Harris	Morgan	Staley
Boshart	Eichhorn	Hart	Murphy C F	Stern
Brady	Ferguson	Hastings	Murphy G W	Stevenson
Brooks	Feth	Hoey	Nevins	Stratton
Brough	Filley	Holmes	Newton	Surplless
Brown	Flanagan	Hooper	Northrup	Todd
Buckley	Foley C F	Hubbs	Norton	Volk
Burhyte	Foley J A	Hurd	O'Brian	Voss
Burns	Fowler	Jackson	Oliver	Waddell
Burzynski	Francis	Keller	Parker	Wagner
Cavanaugh	Frisbie	Lansing	Patton	Walters
Chamberlain	Ganly	Lee	Phillips	Waters
Cole	Garbe	Lewis	Prince	Weber
Colné	Geoghagan	Loos	Ralston	Weimert
Conklin	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	West
Cunningham	Glynn	Maher	Rogers	Whitley
Cuvillier	Goldberg	Mallon	Schmidt	Whitney F G
De Groot	Gray	Mance	Schoeneck	Whitney G H
Dobbs	Green	Marlatt	Schulz	Wood
Dominy	Gunderman	Matthews	Sheridan	Yale
Donnelly	Hackett	McCue	Shuttleworth	Young
Dowling	Hamilton	Mead		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2053) entitled "An act in relation to claims filed in the office of the comptroller or other financial officer of cities of one million inhabitants or over." (Int. No. 847.)

On motion of Mr. Ralston, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hammond	Merritt	Sinclair
Averill	Dudley	Hamn	Miller	Smith A E
Baldwin	Duell	Harawitz	Mills	Smith C
Blue	Eagleton	Harper	Mooney	Smith Myron
Bohan	Eggleston	Harris	Morgan	Staley
Boshart	Eichhorn	Hart	Murphy C F	Stern
Brady	Ferguson	Hastings	Murphy G W	Stevenson
Brooks	Feth	Hoe	Nevins	Stratton
Brough	Filley	Holmes	Newton	Surpless
Brown	Flanagan	Hooper	Northrup	Todd
Buckley	Foley C F	Hubbs	Norton	Volk
Burhyte	Foley J A	Hurd	O'Brian	Voss
Burns	Fowler	Jackson	Oliver	Waddell
Burzynski	Francis	Keller	Parker	Wagner
Cavanaugh	Frisbie	Lansing	Patton	Walters
Chamberlain	Ganly	Lee	Phillips	Waters
Cole	Garbe	Lewis	Prince	Weber
Colné	Geoghagan	Loos	Ralston	Weimert
Conklin	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	West
Cunningham	Glynn	Maher	Rogers	Whitley
Cuvillier	Goldberg	Mallon	Schmidt	Whitney F G
De Groot	Gray	Mance	Schoeneck	Whitney G H
Dobbs	Green	Marlatt	Schulz	Wood
Dominy	Gunderman	Matthews	Sheridan	Yale
Donnelly	Hackett	McCue	Shuttleworth	Young
Dowling	Hamilton	Mead		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2709) entitled "An act to amend the Greater New York charter, in relation to water rents and expenses of meters and their connections and setting and the time when such charges become liens and the manner of returning the same." (Int. No. 1793.)

On motion of Mr. Robinson, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hammond	Merritt	Sinclair
Averill	Dudley	Hamn	Miller	Smith A E
Baldwin	Duell	Harawitz	Mills	Smith C
Blue	Eagleton	Harper	Mooney	Smith Myron
Bohan	Eggleston	Harris	Morgan	Staley
Boshart	Eichhorn	Hart	Murphy C F	Stern
Brady	Ferguson	Hastings	Murphy G W	Stevenson
Brooks	Feth	Hoey	Nevins	Stratton
Brough	Filley	Holmes	Newton	Surpless
Brown	Flanagan	Hooper	Northrup	Todd
Buckley	Foley C F	Hubbs	Norton	Volk
Burhyte	Foley J A	Hurd	O'Brian	Voss
Burns	Fowler	Jackson	Oliver	Waddell
Burzynski	Francis	Keller	Parker	Wagner
Cavanaugh	Frisbie	Lansing	Patton	Walters
Chamberlain	Ganly	Lee	Phillips	Waters
Cole	Garbe	Lewis	Prince	Weber
Colné	Geoghagan	Loos	Ralston	Weimert
Conklin	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	West
Cunningham	Glynn	Maher	Rogers	Whitley
Cuvillier	Goldberg	Mallon	Schmidt	Whitney F G
De Groot	Gray	Mance	Schoeneck	Whitney G H
Dobbs	Green	Marlatt	Schulz	Wood
Dominy	Gunderman	Matthews	Sheridan	Yale
Donnelly	Hackett	McCue	Shuttleworth	Young
Dowling	Hamilton	Mead		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2712) entitled "An act to amend the Greater New York charter, in relation to powers of the police commissioner and fire commissioner to rehear charges and reinstate discharged members." (Int. No. 1866.)

On motion of Mr. Wells, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative; a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevis	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrop	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colne	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Eoos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2668) entitled "An act to amend chapter five hundred and sixty-six of the Laws of eighteen hundred and ninety, entitled 'An act in relation to transportation corporations excepting railroad, constituting chapter forty of the general laws,' as amended by chapter six hundred and and seventy-eight of the Laws of eighteen hundred and ninety-six, in relation to town contracts with water corporations." (Int. No. 1856.)

Said bill having been announced for second reading, Mr. Waddell moved to amend as follows:

In fourth line of title, strike out "as amended by chapter"

Strike out fifth line of title, and in sixth line of title strike out "dred and ninety-six".

On page 1, line 2, after "ninety," insert "entitled 'An act in relation to transportation corporations, excepting railroads,'".

On page 1, line 3, after "laws" insert quotation marks.

On page 2, line 6, strike out the first " of " and insert in place thereof " or ".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to special order second and third reading.

Mr. Speaker announced the special order, being the bill (No. 1608) entitled "An act to amend chapter six hundred and twenty-six of the Laws of nineteen hundred and three, entitled 'An act to suspend the limitation of time for commencement of construction or the completion of railroads while in the hands of receivers,' in relation to the application of the acts to certain cities." (Int. No. 1297.)

On motion of Mr. Whitley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 1

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Mead	Sinclair
Baldwin	Dudley	Hamn	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Morgan	Stevenson
Brooks	Ferguson	Hastings	Murphy C F	Stratton
Brough	Feth	Hoey	Murphy G W	Surplless
Brown	Filley	Holmes	Nevins	Todd
Buckley	Flanagan	Hooper	Newton	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells

Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

In the negative:

Northrup

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1487) entitled "An act to amend the Greater New York charter in relation to the power of the board of commissioners of the sinking fund to fix the rate of interest payable on corporate stock and bonds of the city of New York." (Rec. No. 345.)

On motion of Mr. Mooney, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpluss
Brown	Fillely	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters

Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1209) entitled "An act to amend chapter four of the Laws of eighteen hundred and ninety-one, entitled 'An act to provide for rapid transit railways in cities of over one million inhabitants,' in relation to the powers of the board of commissioners of the sinking fund in cities of said class, to prescribe the rate of interest on bonds issued for the construction and equipment of rapid transit railways." (Rec. No. 346.)

On motion of Mr. Mooney, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpluss
Brown	Filley	Holmes	Newton	Todd

Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1368, Assembly reprint No. 2724) entitled "An act to amend chapter three hundred and thirty-four of the Laws of nineteen hundred and one, entitled 'An act in relation to tenement houses in cities of the first class,' as heretofore amended, in relation to measuring the height of tenement houses fronting on a part of Riverside avenue, in the city of New York." (Rec. No. 349.)

On motion of Mr. Prentice, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 1

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Mead	Sinclair
Baldwin	Dudley	Hamn	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C

Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Morgan	Stevenson
Brooks	Ferguson	Hastings	Murphy C F	Stratton
Brough	Feth	Hoey	Murphy G W	Surpless
Brown	Filley	Holmes	Nevins	Todd
Buckley	Flanagan	Hooper	Newton	Volk
Burhyte	Foley C F	Hubbs	Northrup	Voss
Burns	Foley J A	Hurd	Norton	Waddell
Burzynski	Fowler	Jackson	O'Brian	Wagner
Cavanaugh	Francis	Keller	Oliver	Walters
Chamberlain	Frisbie	Lansing	Parker	Waters
Cole	Ganly	Lee	Patton	Weber
Colné	Garbe	Lewis	Phillips	Weimert
Conklin	Geoghagan	Loos	Prince	Wells
Conrady	Glore	Lowe	Ralston	West
Croak	Gluck	Lupton	Reece	Whitley
Cunningham	Glynn	Maher	Robinson	Whitney F G
Cuvillier	Goldberg	Mallon	Rogers	Whitney G H
De Groot	Gray	Mance	Schmidt	Wood
Dobbs	Green	Marlatt	Schoeneck	Yale
Dominy	Gunderman	Matthews	Schulz	Young
Donnelly	Hackett			

In the negative:

Sheridan

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 526) entitled "An act to amend the Forest, Fish and Game Law, in relation to game protectors." (Rec. No. 359.)

On motion of Mr. Whitley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley

Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surplless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1423) entitled "An act to authorize the city of Mount Vernon to issue bonds for the purpose of defraying a deficiency in the police fund for the fiscal year beginning May first, nineteen hundred and seven." (Rec. No. 374.)

On motion of Mr. Wainwright, said bill was read the second time and ordered to a third reading.

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C

Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrad	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1320) entitled "An act to amend chapter four hundred and seventy-three of the Laws of nineteen hundred and six, with relation to salaries of officers in second class cities." (Rec. No. 335.)

On motion of Mr. Wainwright, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C

Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Steven
Brooks	Ferguson	Hastings	Murphy G W	Strattonson
Brough	Feth	Hoey	Nevins	Surplless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 775) entitled "An act to amend chapter five hundred and ninety-two of the Laws of eighteen hundred and ninety-seven, entitled 'An act in relation to navigation, constituting chapter thirty of the general laws,' authorizing temporary assignments of the inspectors of steam vessels to the Department of Labor." (Rec. No. 203.)

On motion of Mr. Weimert, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1460) entitled "An act to amend chapter six hundred and seventy of the Laws of nineteen hundred and six, entitled 'An act to establish a new State prison in the eastern part of the State to take the place of Sing Sing prison, to authorize the Governor to appoint a commission to select and purchase a site,' in relation to such site and transfer of prisoners thereto, and making an additional appropriation." (Rec. No. 356.)

On motion of Mr. Dominy, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1032) entitled "An act to release to Sophie Demers, widow of Joseph Demers, all the right, title and interest of the people of the State of New York in and to certain real estate situated in the town of Altamont, county of Franklin, and State of New York, acquired by escheat or otherwise on the death of said Joseph Demers." (Rec. No. 302.)

On motion of Mr. Merritt, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surplless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderma	Matthews	Sheridan	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 736) entitled "An act to authorize the extension of Riverside park in the city of New York, by filling in certain land under water, so as to permit the construction therein of a water gate and monument to Robert Fulton, the inventor of steam navigation, by the corporation known as The Robert Fulton Monument Association of the city of New York." (Rec. No. 306.)

On motion of Mr. Prentice, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1509) entitled "An act providing for the Court of General Sessions of the city and county of New York, its judges and officers." (Rec. No. 384.)

On motion of Mr. Prentice, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surplless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1073, Assembly reprint No. 2586) entitled "An act to amend sections three, four, eight and ten of chapter five hundred and fifty-three of the Laws of eighteen hundred and ninety-five, en-

titled 'An act in relation to the Supreme Court in the first judicial district, and the Appellate Division thereof in the first department,' as amended by chapter five hundred and seventy-two of the Laws of eighteen hundred and ninety-eight, chapter four hundred and ninety of the Laws of nineteen hundred, and chapter six hundred and forty-three of the Laws of nineteen hundred and six, and to repeal chapter five hundred and nineteen of the Laws of nineteen hundred and four." (Rec. No. 240.)

Said bill having been announced for third reading, Mr. Francis moved to amend as follows:

Page 1, line 1 of title, strike out "section three, four, eight and ten of".

In fifth line of title, strike out "as amended by chapter five hundred-".

Strike out lines 6, 7, 8 of title, and in ninth line of title, strike out "of the laws of nineteen hundred and six" and insert in place thereof "generally".

On page 2, line 4, strike out "so as".

On page 2, line 25, strike out "so as".

On page 4, line 21, after "clerks" insert "[and not to exceed twenty-five hundred dollars per annum for each of the assistants assigned to the naturalization bureau; and not to exceed two thousand dollars per annum for each assistant and shall be so paid by the city and county of New York.]".

On page 5, line 9, strike out "so as".

On page 5, line 8, after the first "the" insert "appellate division of the".

On page 5, line 8, beginning with "supreme court" italicize balance of line.

On page 5, line 12, italicize "ment".

On page 5, line 13, after "four" insert "[two officials]".

On page 5, line 13, strike out "of" and insert in place thereof "four".

On page 5, line 14, after "court" insert "[each of them to receive the same compensation now paid to the interpreter of the supreme court.]".

On page 5, line 26, italicize "of the supreme court, in the first".

On page 6, line 1, italicize "department".

On page 6, line 2, after "thereof" insert ",", and strike out "in" and insert in place thereof "with".

On page 6, line 4, after "and" insert "the".

On page 6, line 5, italicize "of the supreme court".

On page 6, line 7, italicize "of the su-".

On page 6, line 8, italicize "preme court in the first department".

On page 6, line 8, after "department" insert ",", and after "not" insert ", however,".

On page 6, line 9, "thousand dollars" not in italics.

On page 6, line 15, after "direct." insert "In addition to such powers" and small cap the following "the".

On page 6, line 16, "division" not in italics.

Same line, "now or" not in italics.

On page 6, line 17, "hereafter designated" not in italics.

On page 6, line 19, italicize "of the supreme court".

On page 6, line 21, "dollars" not in italics and after said "dollars" insert "[twenty-five hundred]".

Same page and line, strike out "library of the superior court" and insert in place thereof "libraries of the supreme court".

On page 6, line 22, strike out "the law library".

On page 6, line 25, italicize "judicial".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to special order second and third reading.

Mr. Speaker announced the special order, being the Senate bill (No. 1411) entitled "An act to amend the Tax Law in relation to the taxation of bank shares." (Rec. No. 347.)

Said bill having been announced for a second reading,

On motion of Mr. Wainwright, said bill was recommitted to the committee on rules, retaining its place on the order of second reading.

Mr. Speaker announced the special order, being the Senate bill (No. 1198) entitled "An act to amend section three hundred and eighty-two of the Code of Civil Procedure, relative to the statute of limitations." (Rec. No. 262.)

Said bill having been announced for a second reading,

On motion of Mr. Prentice, and by unanimous consent, said bill was made a special order on second and third reading for Monday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the Senate bill (No. 1138) entitled "An act to amend the Code of Civil Procedure, relative to appointment of stenographers in certain counties." (Rec. No. 268.)

On motion of Mr. Hastings, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colne	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1254) entitled "An act to amend section four hundred and one of the Penal Code, relative to certain offenses connected with the dispensing and sale of drugs and medicines." (Rec. No. 278.)

Said bill having been announced for a second reading, on motion of Mr. G. H. Whitney, and by unanimous consent, said bill was made a special order on second and third reading for Monday next, immediately after the reading of the journal.

The Senate returned Assembly bill (No. 555, Senate reprint No. 1488, Int. No. 346) entitled "An act to amend the Public Health Law, in relation to the retailing of poisons," with a message that they have concurred in the passage of the same, with the following amendment:

On page 4, line 2, after the word "druggist" insert "duly registered physician".

Mr. G. H. Whitney moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surplless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Croak	Gluck	Lowe	Reece	West
Cunningham	Glynn	Lupton	Robinson	Whitley
Cuvillier	Goldberg	Maher	Rogers	Whitney F G
De Groot	Gray	Mallon	Schmidt	Whitney G H
Dobbs	Green	Mance	Schoeneck	Wood
Dominy	Gunderman	Marlatt	Schulz	Yale
Donnelly	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the Assembly bill (No. 2592, Senate reprint No. 1569, Int. No. 1735) entitled "An act to amend the Legislative Law, generally," with a message that they have concurred in the passage of the same, with the following amendments:

On page 7, line 5, inclose the word "one" in brackets, and insert in italics the word "two".

Mr. Merritt moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hammond	Mead	Shuttleworth
Averill	Dudley	Hamn	Merritt	Sinclair
Baldwin	Duell	Harawitz	Miller	Smith A E
Blue	Eagleton	Harper	Mills	Smith C
Bohan	Eggleston	Harris	Mooney	Staley
Boshart	Eichhorn	Hart	Morgan	Stern
Brady	Ferguson	Hastings	Murphy C F	Stevenson
Brooks	Feth	Hoey	Murphy G W	Stratton
Brough	Filley	Holmes	Nevins	Surplless
Brown	Flanagan	Hooper	Newton	Todd
Buckley	Foley C F	Hubbs	Northrup	Volk
Burhyte	Foley J A	Hurd	Norton	Voss
Burns	Fowler	Jackson	O'Brian	Waddell
Burzynski	Francis	Keller	Oliver	Wagner
Cavanaugh	Frisbie	Lansing	Parker	Walters
Chamberlain	Ganly	Lee	Patton	Waters
Cole	Garbe	Lewis	Phillips	Weber
Colné	Geoghagan	Loos	Prince	Weimert
Conklin	Glore	Lowe	Ralston	Wells
Croak	Gluck	Lupton	Reece	West
Cunningham	Glynn	Maher	Robinson	Whitley
Cuvillier	Goldberg	Mallon	Rogers	Whitney F G
De Groot	Gray	Mance	Schmidt	Whitney G H
Dobbs	Green	Marlatt	Schoeneck	Wood
Dominy	Gunderman	Matthews	Schulz	Yale
Donnelly	Hackett	McCue	Sheridan	Young
Dowling	Hamilton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1275, Senate reprint No. 1486, Int. No. 469) entitled "An act to amend the Railroad Law, in relation to imposing on certain railroad corporations, in cities of the first class, the duty of placing upon cars the name of the operating company."

Said bill having been announced, Mr. Surpless moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hammond	Merritt	Sinclair
Averill	Dudley	Hamn	Miller	Smith A E
Baldwin	Duell	Harawitz	Mills	Smith C
Blue	Eagleton	Harper	Mooney	Smith Myron
Bohan	Eggleston	Harris	Morgan	Staley
Boshart	Eichhorn	Hart	Murphy C F	Stern
Brady	Ferguson	Hastings	Murphy G W	Stevenson
Brooks	Feth	Hoey	Nevins	Stratton
Brough	Filley	Holmes	Newton	Surpless
Brown	Flanagan	Hooper	Northrup	Todd
Buckley	Foley C F	Hubbs	Norton	Volk
Burhyte	Foley J A	Hurd	O'Brian	Voss
Burns	Fowler	Jackson	Oliver	Waddell
Burzynski	Francis	Keller	Parker	Wagner
Cavanaugh	Frisbie	Lansing	Patton	Walters
Chamberlain	Ganly	Lee	Phillips	Waters
Cole	Garbe	Lewis	Prince	Weber
Colné	Geoghagan	Loos	Ralston	Weimert
Conklin	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	West
Cunningham	Glynn	Maher	Rogers	Whitley
Cuvillier	Goldberg	Mallon	Schmidt	Whitney F G
De Groot	Gray	Mance	Schoeneck	Whitney G H
Dobbs	Green	Marlatt	Schulz	Wood
Dominy	Gunderman	Matthews	Sheridan	Yale
Donnelly	Hackett	McCue	Shuttleworth	Young
Dowling	Hamilton	Mead		

Mr. Surpless moved that said bill be recommitted to the committee on railroads, with instructions to report the same forthwith amended by the substitution of the following substitute bill.

(See Appendix No. 39.)

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Merritt, from the committee on railroads, reported said bill amended, as directed, and said substitute bill was ordered printed and placed on the order of third reading.

The Senate returned the Assembly bill (No. 1534, Senate reprint No. 1516, Int. No. 127) entitled "An act to amend the Penal Code, in relation to the sale of certain drugs," with a message that they have concurred in the passage of the same with the following amendment:

Page 1, line 5, strike out the comma ",", after "alkaloid".

Mr. A. E. Smith moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hammond	Merritt	Sinclair
Averill	Dudley	Hamn	Miller	Smith A E
Baldwin	Duell	Harawitz	Mills	Smith C
Blue	Eagleton	Harper	Mooney	Smith Myron
Bohan	Eggleston	Harris	Morgan	Staley
Boshart	Eichhorn	Hart	Murphy C F	Stern
Brady	Ferguson	Hastings	Murphy G W	Stevenson
Brooks	Feth	Hoey	Nevins	Stratton
Brough	Filley	Holmes	Newton	Surpless
Brown	Flanagan	Hooper	Northrup	Todd
Buckley	Foley C F	Hubbs	Norton	Volk
Burhyte	Foley J A	Hurd	O'Brian	Voss
Burns	Fowler	Jackson	Oliver	Waddell
Burzynski	Francis	Keller	Parker	Wagner
Cavanaugh	Frisbie	Lansing	Patton	Walters
Chamberlain	Ganly	Lee	Phillips	Waters
Cole	Garbe	Lewis	Prince	Weber
Colné	Geoghagan	Loos,	Ralston	Weimert

Conklin	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	West
Cunningham	Glynn	Maher	Rogers	Whitley
Cuvillier	Goldberg	Mallon	Schmidt	Whitney F G
De Groot	Gray	Mance	Schoeneck	Whitney G H
Dobbs	Green	Marlatt	Schulz	Wood
Dominy	Gunderman	Matthews	Sheridan	Yale
Donnelly	Hackett	McCue	Shuttleworth	Young
Dowling	Hamilton	Mead		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 1400, Int. No. 134) entitled "An act to provide that assessments due and payable after January first, nineteen hundred and seven, pursuant to chapter two hundred and forty-four of the Laws of eighteen hundred and seventy-eight and the acts amendatory thereof, for laying out and improving Prospect park in the city of Brooklyn shall be paid by the city of New York, and providing for refunding of any such assessments heretofore paid," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

Mr. Speaker stated the question to be, "Shall this bill pass, notwithstanding the objections of the mayor of the city of New York thereto?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

AYES 76

NOES 26

Those who voted in the affirmative were:

Allen	Dudley	Hamn	Murphy C F	Stanton
Apgar	Eggleston	Hart	Nevins	Stratton
Blue	Eichhorn	Hubbs	Norton	Surpless
Boshart	Farrell	Hurd	Prentice	Todd
Brady	Ferguson	Lansing	Ralston	Volk
Brough	Filley	Lee	Reece	Voss
Brown	Foley C F	Lewis	Robinson	Waddell
Burhyte	Francis	Lowe	Rogers	Wagner
Chamberlain	Geoghagan	Lupton	Schmidt	Wainwright
Cole	Glore	Maher	Schoeneck	Waters
Colné	Gray	Marlatt	Shuttleworth	Weber
Conklin	Green	Merritt	Sinclair	West

Cunningham	Gunderman	Miller	Smith C	Whitney F G
De Groot	Haines	Mills	Smith Myron	Whitney G H
Dowling	Hammond	Moreland	Staley	Wood
Draper				

Those who voted in the negative were:

Bohan	Cuvillier	Foley J A	Hackett	Northrup
Buckley	Dobbs	Ganly	Harper	Sheridan
Burns	Donnelly	Garbe	Hoey	Smith A E
Collins	Eagleton	Gluck	Holmes	Stern
Croak	Feth	Glynn	Jacobs	Walters

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Brady offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That ten thousand copies of that part of the report of the Commissioner of Agriculture on the "Apples of New York" be printed and distributed as follows: "One thousand copies for the Geneva Experiment Station and the balance for the Clerks of the Senate and Assembly and members of the Legislature."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Shuttleworth
Averill	Dudley	Hammond	Mead	Sinclair
Baldwin	Duell	Hamn	Merritt	Smith A E
Blue	Eagleton	Harawitz	Miller	Smith C
Bohan	Eggleston	Harper	Mills	Staley
Boshart	Eichhorn	Harris	Mooney	Stern
Brady	Ferguson	Hart	Morgan	Stevenson
Brooks	Feth	Hastings	Murphy C F	Stratton
Brough	Filley	Hoey	Murphy G W	Surpluss
Brown	Flanagan	Holmes	Nevins	Todd
Buckley	Foley C F	Hooper	Northrup	Volk
Burhyte	Foley J A	Hubbs	Norton	Voss
Burns	Fowler	Hurd	O'Brian	Waddell
Burzynski	Francis	Jackson	Oliver	Wagner
Cavanaugh	Frisbie	Keller	Parker	Walters
Chamberlain	Ganly	Lansing	Patton	Waters
Cole	Garbe	Lee	Phillips	Weber
Colne	Geoghagan	Lewis	Prince	Weimert
Conklin	Glore	Loos	Ralston	Wells
Croak	Gluck	Lowe	Reece	West

Cunningham	Glynn	Lupton	Robinson	Whitley
Cuvillier	Goldberg	Maher	Rogers	Whitney F G
De Groot	Gray	Mallon	Schmidt	Whitney G H
Dobbs	Green	Mance	Schoeneck	Wood
Dominy	Gunderman	Marlatt	Schulz	Yale
Donnelly	Hackett	Matthews	Sheridan	Young
Dowling				

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *May 15, 1907.*

Whereas, Bids having been received by the State Printing Board for the legislative printing for the year commencing October 1, 1907, involving the printing of the bills, documents, etc., presented to the Legislature;

And whereas, The contract for the year beginning October 1, 1904, was given to the bidder apparently offering the lowest bid of the quantities advertised;

And whereas, As a consequence the business of the State was delayed and embarrassed to an extent amounting to many times the difference in the bids, caused by the incompetency of the contractor to perform his work properly, such delay being a matter of public and official record, and the complaints culminating in a resolution unanimously adopted by both Houses of the Legislature May 5, 1905;

And whereas, The contract nevertheless being awarded once more to the same bidder, the same difficulty was encountered, culminating in a public scandal relative to the Insurance Investigating Committee's Report;

And whereas, The contract for the current year having been awarded to a responsible bidder, the delivery of the legislative bills, documents, etc., has been properly and efficiently executed;

Be it resolved (if the Assembly concur), That the State Printing Board be respectfully requested to exercise the discretion lodged in it by law and to award the contract for the legislative printing for the year beginning October 1, 1907, only to a responsible bidder having in existence in the city of Albany, an equipment and organization which has proved capable of performing the work in the manner in which it is now being accomplished.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hammond	Merritt	Sinclair
Averill	Dudley	Hamn	Miller	Smith A E
Baldwin	Duell	Harawitz	Mills	Smith C
Blue	Eagleton	Harper	Mooney	Smith Myron
Bohan	Eggleston	Harris	Morgan	Staley
Boshart	Eichhorn	Hart	Murphy C F	Stern
Brady	Ferguson	Hastings	Murphy G W	Stevenson
Brooks	Feth	Hoey	Nevins	Stratton
Brough	Filley	Holmes	Newton	Surplless
Brown	Flanagan	Hooper	Northrup	Todd
Buckley	Foley C F	Hubbs	Norton	Volk
Burhyte	Foley J A	Hurd	O'Brian	Voss
Burns	Fowler	Jackson	Oliver	Waddell
Burzynski	Francis	Keller	Parker	Wagner
Cavanaugh	Frisbie	Lansing	Patton	Walters
Chamberlain	Ganly	Lee	Phillips	Waters
Cole	Garbe	Lewis	Prince	Weber
Colné	Geoghagan	Loos	Ralston	Weimert
Conkliñ	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	West
Cunningham	Glynn	Maher	Rogers	Whitley
Cuvillier	Goldberg	Mallon	Schmidt	Whitney F G
De Groot	Gray	Mance	Schoeneck	Whitney G H
Dobbs	Green	Marlatt	Schulz	Wood
Dominy	Gunderman	Matthews	Sheridan	Yale
Donnelly	Hackett	McCue	Shuttleworth	Young
Dowling	Hamilton			

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the Assembly bill (No. 685, Senate re-print No. 1531, Int. No. 642) entitled "An act to authorize and empower the commissioners of the sinking fund of the city of New York to vacate and cancel a certain assessment for public improvements, upon the real property of Saint Paul's German Evangelical Reformed church."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the Senate bill (No. 1334, Assembly re-print No. 2644, Rec. No. 316) entitled "An act to amend the Greater New York charter, in relation to the powers of the board of estimate and apportionment," with a message that they have concurred in the amendments of the Assembly made thereto.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the bill (No. 1964, Int. No. 1508) entitled "An act to amend the Greater New York charter, by pro-

viding for an appropriation for the Legal Aid Society of the city of New York," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 1845, Assembly reprint No. 2699, Int. No. 1444) entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' in relation to salaries of clerks, police officers, policemen and janitors," with a message that they have reconsidered their vote which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Oswego.

The Senate returned the bill (No. 2141, Assembly reprint No. 2689, Int. No. 1505) entitled "An act to provide for the opening and maintenance of inlets from the ocean into Shinnecock bay and Mecox bay, in the town of Southampton, in the county of Suffolk, and repealing chapter six hundred and twenty-eight of the Laws of eighteen hundred and eighty-seven, chapter two hundred and fifty-seven of the Laws of eighteen hundred and ninety-two and a part of chapter twenty-nine of the Laws of eighteen hundred and seventy-three," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 1780, Int. No. 1400) entitled "An act to amend the Greater New York charter, relative to the department of docks and ferries," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 948, Int. No. 641) entitled "An act empowering the comptroller of the city of New York to refund to the Saint Paul's German

Evangelical Reformed church or the trustees thereof, moneys paid as assessment for public improvements upon certain real property belonging to said church in the borough of the Bronx, New York city," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

On motion of Mr. Moreland, the House adjourned.

FRIDAY, MAY 17, 1907.

The House met pursuant to adjournment.

Prayer by Rev. H. Douglas Spaeth.

On motion of Mr. Moreland, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. Burns gives notice that he requests that Assembly bill (No. 2684, Int. No. 1860) entitled "An act to amend the Greater New York charter, relating to engineers," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Moreland gives notice that he requests that Assembly bill (No. 1963, Int. No. 1507) entitled "An act to reappropriate certain unexpended balances of former appropriations," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Lee gives notice that he requests that Senate bill (No. 1466; Rec. No. 380) entitled "An act to authorize the commissioners of the sinking fund of the city of New York, to refund certain moneys paid for taxes for the years nineteen hundred and one, nineteen hundred and two and nineteen hundred and three, affecting property situate in the borough of Brooklyn, in the city of New York, now belonging to and upon which is erected the church edifice of the Fourth Unitarian Congregational

Church of Brooklyn," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Burhyte gives notice that he requests that Senate bill (No. 1305, Rec. No. 364) entitled "An act to amend the Forest, Fish and Game Law, relative to the protection of trout in any of the waters of the county of Madison," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Haines gives notice that he requests that the Senate bill (No. 1551, Rec. No. 367) entitled "An act to empower the Commissioners of the Land Office to release to Charles W. Dayton all the right, title and interest of the people of the State of New York, in and to certain real estate in the city, formerly town of Yonkers, county of Westchester, State of New York, acquired by escheat or forfeiture upon the death of Charles Scola," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

The Senate sent for concurrence the following entitled bills:

"An act to confer jurisdiction upon the Court of Claims to hear and determine the alleged claim of Mary J. Dufort against the State for damages alleged to have been sustained by her and to render judgment therefor" (No. 1571, Rec. No. 396), which was read the first time and referred to the committee on claims.

"An act to protect owners of securities of railroads or railways, having mortgages of record, by extending the corporate existence of those heretofore organized pursuant to and in conformity with the laws of the State of New York, and permitting the use of electric as well as steam power" (No. 1467, Rec. No. 397), which was read the first time and referred to the committee on railroads.

"An act making appropriations for construction, additions and improvements at the State hospitals for the insane" (No. 1601, Rec. No. 398), which was read the first time and referred to the committee on ways and means.

"An act to amend the Forest, Fish and Game Law, in relation to

set lines and tip-ups on Big Sandy pond in Oswego county" (No. 1572, Rec. No. 399), which was read the first time and referred to the committee on fisheries and game.

"An act to amend the Greater New York charter, by the amendment of section one hundred and fifty-one, to provide for the establishment of a bureau of investigation of assessed valuations of real estate owned by the city of New York, located outside of said city" (No. 1622, Rec. No. 400), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter three of title five of part one of the Code of Criminal Procedure of the State of New York, entitled 'The Court of General Sessions in the city and county of New York' (No. 1599, Rec. No. 401), which was read the first time and referred to the committee on codes.

"An act to amend chapter two of title four of part four of the Code of Criminal Procedure of the State of New York, entitled 'Formation of the grand jury, its powers and duties'" (No. 1600, Rec. No. 402), which was read the first time and referred to the committee on codes.

"An act to amend the Railroad Law in relation to location of route" (No. 1536, Rec. No. 403), which was read the first time and referred to the committee on railroads.

"An act to incorporate the city of Port Jervis" (No. 1576, Rec. No. 404), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Penal Code, in relation to Sunday baseball in the city of New York" (No. 972, Rec. No. 405), which was read the first time and referred to the committee on codes.

By unanimous consent, Mr. Eichhorn introduced a bill entitled "An act to widen and improve a certain street in the city of New York, being partly in the counties of Kings and Queens" (Int. No. 1907), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Wagner introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to the assistant clerks, stenographers and attendants in the City Court of the city of New York" (Int. No. 1908), which was read the first time and referred to the committee on codes.

By unanimous consent, Mr. Dowling introduced a bill entitled "An act to legalize the acts of Frederick A. Phelps, a commissioner of deeds" (Int. No. 1909), which was read the first time and referred to the committee on the judiciary..

By unanimous consent, Mr. Baldwin introduced a bill entitled "An act to legalize bonds of the village of East Syracuse to be issued for the purpose of enabling the village of East Syracuse to borrow the sum of ten thousand dollars for the purpose of completing the sewer system of the village of East Syracuse, and the purchase of necessary machinery for the operation and maintenance of the sewer system of the village, and to sell twenty bonds, of the village, of the denomination of five hundred dollars each, aggregating the sum of ten thousand dollars, as provided by the Village Law, and the Municipal Corporation Law, and to legalize all steps, proceedings and resolutions of the board of trustees of the village of East Syracuse, in relation to the sale and issue of said bonds, including the proposition submitted to the qualified electors of the village, at a general election thereof, held therein on the nineteenth day of March, nineteen hundred and seven, and all proceedings of said board of trustees in relation, and subsequent thereto, including the advertisement and sale of the bonds authorized by said proposition, on the twentieth day of April, nineteen hundred and seven, and to provide for the payment of the principal and interest of said bonds" (Int. No. 1910), which was read the first time and referred to the committee on affairs of villages.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Burns (No. 2684, Int. No. 1860), entitled "An act to amend the Greater New York charter, relating to engineers."

Also, Assembly bill introduced by Mr. Moreland (No. 1963, Int. No. 1507), entitled "An act to reappropriate certain unexpended balances of former appropriations," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the

consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Fuller (No. 1466, Rec. No. 380), entitled "An act to authorize the commissioners of the sinking fund of the city of New York to refund certain moneys paid for taxes for the years nineteen hundred and one, nineteen hundred and two and nineteen hundred and three, affecting property situate in the borough of Brooklyn, in the city of New York, now belonging to and upon which is erected the church edifice of the Fourth Unitarian Congregational church of Brooklyn."

Also, Senate bill introduced by Mr. Gates (No. 1305, Rec. No. 364), entitled "An act to amend the Forest, Fish and Game Law, relative to the protection of trout in any of the waters of the county of Madison," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill introduced by Mr. Page (No. 1551, Rec. No. 367), entitled "An act to empower the Commissioners of the Land Office to release to Charles W. Dayton all the right, title and interest of the people of the State of New York in and to certain real estate in the city, formerly town of Yonkers, county of Westchester, State of New York, acquired by escheat or forfeiture upon the death of Charles Scola and Carlo Scola," reported the same with the following amendment:

On page 2, line 10, after the words "wife to" strike out the words "Clotilda Bavili" and insert instead therein the words "Clothilde Barili".

and requests that said bill be reprinted, as amended, and recommitted to said committee, which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. West, from the committee on printed and engrossed bills, reported the following bill as correctly printed and engrossed:

"An act to amend the Greater New York charter, relative to the police pension fund." (No. 2692, Int. No. 954.)

Mr. Speaker announced the special order, being the bill (No. 2684) entitled "An act to amend the Greater New York charter, relating to engineers." (Int. No. 1860.)

Said bill having been announced for a second reading, on motion of Mr. Burns, and by unanimous consent, said bill was made a special order on second and third reading for Tuesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 1963) entitled "An act to reappropriate certain unexpended balances of former appropriations." (Int. No. 1507.)

On motion of Mr. Moreland, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 109

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hamilton	Mead	Sheridan
Averill	Duell	Hammond	Merritt	Shuttleworth
Baldwin	Eggleston	Hamn	Mills	Sinclair
Baumann	Eichhorn	Harper	Moreland	Smith C
Blue	Farrell	Harris	Morgan	Staley
Boshart	Ferguson	Hart	Murphy C F	Stevenson
Brady	Feth	Hoey	Murphy G W	Stratton
Brown	Filley	Holmes	Nevins	Surpluss
Buckley	Foley C F	Hoooper	Newton	Volk
Burhyte	Fowler	Hubbs	Norton	Voss
Burns	Francis	Hurd	O'Brian	Waddell
Cavanaugh	Frisbie	Jacobs	Oliver	Wagner
Chamberlain	Ganly	Keller	Parker	Walters
Cole	Garbe	Lansing	Patton	Waters
Colné	Glore	Lewis	Phillips	Weimert
Conklin	Gluck	Lowe	Prince	West
Conrady	Glynn	Lupton	Ralston	Whitley
Cunningham	Goldberg	Maher	Reece	Whitney F G

De Groot	Gray	Mallon	Rogers	Whitney G H
Donnelly	Green	Mance	Schmidt	Winters
Dowling	Gunderman	Marlatt	Schoeneck	Yale
Draper	Haines	Matthews	Schulz	

Ordered, That the Clerk engross said bill and deliver same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1305) entitled "An act to amend the Forest, Fish and Game Law, relative to the protection of trout in any of the waters of the county of Madison." (Rec. No. 364.)

On motion of Mr. Burhyte, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, it was determined in the affirmative, a majority of all the members elected in the Assembly voting in favor thereof, and three-fifths being present.

AYES 108

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hamilton	Mead	Schulz
Averill	Duell	Hammond	Merritt	Sheridan
Baldwin	Eggleston	Hamn	Mills	Shuttleworth
Baumann	Eichhorn	Harper	Moreland	Sinclair
Blue	Farrell	Harris	Morgan	Smith C
Boshart	Ferguson	Hart	Murphy C F	Staley
Brady	Feth	Hoey	Murphy G W	Stratton
Brown	Filley	Holmes	Nevins	Surpless
Buckley	Foley C F	Hooper	Newton	Volk
Burhyte	Fowler	Hubbs	Norton	Voss
Burns	Francis	Hurd	O'Brian	Waddell
Cavanaugh	Frisbie	Jacobs	Oliver	Wagner
Chamberlain	Ganly	Keller	Parker	Walters
Cole	Garbe	Lansing	Patton	Waters
Colne	Glore	Lewis	Phillips	Weimert
Conklin	Gluck	Lowe	Prince	West
Conrady	Glynn	Lupton	Ralston	Whitley
Cunningham	Goldberg	Maher	Reece	Whitney F G
De Groot	Gray	Mallon	Rogers	Whitney G H
Donnelly	Green	Mance	Schmidt	Winters
Dowling	Gunderman	Marlatt	Schoeneck	Yale
Draper	Haines	Matthews		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1466) entitled "An act to authorize the commissioners of the sinking fund of the city of New York to refund certain moneys paid for taxes for the years nineteen hundred and one, nineteen hundred and two and nineteen hundred and three, affecting property situate in the borough of Brooklyn, in the city of New York, now belonging to and upon which is erected the church edifice of the Fourth Unitarian Congregational church of Brooklyn." (Rec. No. 380.)

On motion of Mr. Mooney, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 107

NOES 00

Those who voted in the affirmative were:

Apgar	Duell	Hammond	Mead	Schulz
Averill	Eggleston,	Hamn	Merritt	Sheridan
Baldwin	Eichhorn	Harper	Mills	Shuttleworth
Baumann	Farrell	Harris	Moreland	Sinclair
Blue	Ferguson	Hart	Morgan	Smith C
Boshart	Feth	Hoey	Murphy C F	Staley
Brady	Filley	Holmes	Murphy G W	Stratton
Brown	Foley C F	Hooper	Nevins	Surpluss
Buckley	Fowler	Hubbs	Newton	Volk
Burhyte	Francis	Hurd	Norton	Voss
Burns	Frisbie	Jacobs	O'Brian	Waddell
Cavanaugh	Ganly	Keller	Oliver	Wagner
Chamberlain	Garbe	Lansing	Parker	Walters
Cole	Glore	Lewis	Patton	Waters
Colné	Gluck	Lowe	Phillips	Weimert
Conklin	Glynn	Lupton	Prince	West
Conrady	Goldberg	Maher	Ralston	Whitley
Cunningham	Gray	Mallon	Reece	Whitney F G
De Groot	Green	Mance	Rogers	Whitney G H
Donnelly	Gunderman	Marlatt	Schmidt	Winters
Draper	Haines	Matthews	Schoeneck	Yale
Dudley	Hamilton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the Assembly bill (No. 2112, Senate reprint No. 1608, Int. No. 1510) entitled "An act making an appropriation for the national encampment of the Grand Army of the Republic to be held in the village of Saratoga Springs in the month of September, nineteen hundred and seven," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, strike out all of lines 8 and 9.

On page 2, strike out all of lines 1, 2, 3, 4, 5, 6, 7.

Same page, line 8, strike out the words "the State of New York".

Same page, line 8, before the word "all" insert the following:

"2. Within fifteen days after this act takes effect, the governor shall appoint a committee to be composed of two citizens of the State of New York and two members of the Department of New York, Grand Army of the Republic, who shall act with the adjutant general of the State of New York, the commander of the Department of New York, Grand Army of the Republic, and the counsel to the Governor of the State of New York;"

Same page, line 8, after the word "all" strike out the word "of".

Same page and line, strike out the words "being and com-" and insert in lieu thereof "shall compose".

Same page, line 9, strike out "posing".

Mr. G. H. Whitney moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

AYES 109

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hamilton	Mead	Sheridan
Averill	Duell	Hammond	Merritt	Shuttleworth
Baldwin	Eggleston	Hamn	Mills	Sinclair
Baumann	Eichhorn	Harper	Moreland	Smith C
Blue	Farrell	Harris	Morgan	Smith Myron
Boshart	Ferguson	Hart	Murphy C F	Staley
Brady	Feth	Hoey	Murphy G W	Stratton

Brown	Filley	Holmes	Nevins	Surpless
Buckley	Foley C F	Hooper	Newton	Volk
Burhyte	Fowler	Hubbs	Norton	Voss
Burns	Francis	Hurd	O'Brian	Waddell
Cavanaugh	Frisbie	Jacobs	Oliver	Wagner
Chamberlain	Ganly	Keller	Parker	Walters
Cole	Garbe	Lansing	Patton	Waters
Colné	Glore	Lee	Phillips	Weimert
Conklin	Gluck	Lowe	Prince	West
Conrady	Glynn	Lupton	Ralston	Whitley
Cunningham	Goldberg	Maher	Reece	Whitney F G
De Groot	Gray	Mallon	Rogers	Whitney G H
Donnelly	Green	Mance	Schmidt	Winters
Dowling	Gunderman	Marlatt	Schoeneck	Yale
Draper	Haines	Matthews	Schulz	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

A communication from the Governor was received and read in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, May 14, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1562, Senate reprint No. 1418, Int. No. 1269) entitled "An act to amend the revised statutes, in relation to references in insolvent debtors' proceedings."

CHARLES E. HUGHES.

Said bill having been announced, Mr. Mahar moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 108

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hamilton	Mead	Sheridan
Averill	Duell	Hammond	Merritt	Shuttleworth
Baldwin	Eggleston	Hamn	Mills	Sinclair
Baumann	Eichhorn	Harper	Moreland	Smith C
Blue	Farrell	Harris	Morgan	Staley
Boshart	Ferguson	Hart	Murphy C F	Stevenson

Brady	Feth	Hoey	Murphy G W	Stratton
Brown	Filley	Holmes	Nevins	Surpless
Buckley	Foley C F	Hooper	Norton	Volk
Burhyte	Fowler	Hubbs	O'Brian	Voss
Burns	Francis	Hurd	Oliver	Waddell
Cavanaugh	Frisbie	Jacobs	Parker	Wagner
Chamberlain	Ganly	Keller	Patton	Walters
Cole	Garbe	Lansing	Phillips	Waters
Colné	Glore	Lewis	Prince	Weimert
Conklin	Gluck	Lowe	Ralston	West
Conrady	Glynn	Lupton	Reece	Whitley
Cunningham	Goldberg	Maher	Rogers	Whitney F G
De Groot	Gray	Mallon	Schmidt	Whitney G H
Dominy	Green	Mance	Schoeneck	Winters
Dowling	Gunderman	Marlatt	Schulz	Yale
Draper	Haines	Matthews		

Mr. Mahar moved that said bill be recommitted to the committee on the judiciary, with instructions to report the same forthwith amended by the substitution of the following substitute bill:

(See Appendix No. 40.)

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Rogers, from the committee on the judiciary, reported said substitute bill as directed, and the same was ordered printed and placed on the order of third reading.

By unanimous consent, Mr. Draper called up the bill (No. 1586, Senate reprint No. 1459, Int. No. 997) entitled "An act to amend the County Law, in relation to killing or injuring of horses, cattle or swine by dogs."

Said bill having been announced, Mr. Draper moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 109

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hamilton	Mead	Sheridan
Averill	Duell	Hammond	Merritt	Shuttleworth
Baldwin	Eggleston	Hamn ?	Mills	Sinclair
Baumann	Eichhorn	Harawitz	Moreland	Smith C
Blue	Farrell	Harper	Morgan	Staley
Boshart	Ferguson	Harris	Murphy C F	Stevenson
Brady	Feth	Hart	Murphy G W	Stratton

Brown	Filley	Hoey	Nevins	Surpless
Buckley	Foley C F	Holmes	Newton	Volk
Burhyte	Fowler	Hubbs	Norton	Voss
Burns	Francis	Hurd	O'Brian	Waddell
Cavanaugh	Frisbie	Jacobs	Oliver	Wagner
Chamberlain	Ganly	Keller	Parker	Walters
Cole	Garbe	Lansing	Patton	Waters
Colné	Glore	Lewis	Phillips	Weimert
Conklin	Gluck	Lowe	Prince	West
Conrady	Glynn	Lupton	Ralston	Whitley
Cunningham	Goldberg	Maher	Reece	Whitney F G
De Groot	Gray	Mallon	Rogers	Whitney G H
Donnelly	Green	Mance	Schmidt	Winters
Dowling	Gunderman	Marlatt	Schoeneck	Yale
Draper	Haines	Matthews	Schulz	

Mr. Draper moved that said bill be recommitted to the committee on internal affairs, with instructions to report the same forthwith amended as follows:

Page 1, line 5, strike out the words "as amended".

Page 1, line 6, strike out the word "by" and the word "two" and insert "and chapter two hundred and ninety-four of the laws of nineteen hundred and seven,".

Page 1, line 8, after the word "tax" insert "and other moneys".

Page 2, line 8, after the word "town" insert the following: "If such town fund applicable to the payment of such damages becomes exhausted and claims for damages are thereafter presented, the supervisor may certify the fact to the treasurer of any village in his town in which a resolution of the board of supervisors is in force pursuant to the provisions of sections one hundred and twenty-eight to one hundred and thirty-six of this chapter, and shall thereupon be entitled to receive from said treasurer the amount of all such unpaid claims, or so much thereof as may then be in the hands of such treasurer, applicable to such purposes, and accumulated since the close of the last preceding fiscal year of such village; and the moneys thus received by the supervisor shall be applied to the payment of such damages."

The Senate returned the bill (No. 2473, Int. No. 1526) entitled "An act to authorize the city of New York to acquire lands on Prospect Heights in the borough of Brooklyn as sites for public buildings, and to provide for the establishment and maintenance of public educational institutions," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the Assembly bill (No. 1534, Senate re-

print No. 1516, Int. No. 137) entitled "An act to amend the Penal Code, in relation to the sale of certain drugs."

Also, Assembly bill No. 1555, Senate reprint No. 1488, Int. No. 346) entitled "An act to amend the Public Health Law, in relation to the retailing of poisons."

Also, Assembly bill (No. 2592, Senate reprint No. 1569, Int. No. 1735) entitled "An act to amend the Legislative Law, generally."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 2677, Int. No. 1767) entitled "An act to amend the Tenement-house Act, in relation to buildings of a certain character," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 1389, Senate reprint No. 1380, Int. No. 238) entitled "An act to amend the Greater New York charter, relative to punishment of persons causing fire in stovepipes, chimney or flue," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Moreland, the House adjourned.

MONDAY, MAY 20, 1907.

The House met pursuant to adjournment.

Prayer by Rev. Charles W. Heisler.

On motion of Mr. Moreland, the reading of the journal of Friday, May 17, 1907, was dispensed with, and the same was approved.

Mr. Croak gives notice that he requests that Assembly bill (No. 2721, Int. No. 1453) entitled "An act to amend the Greater New York charter, relative to employees of water works companies," a copy of which is hereto annexed, be made a special

order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Wood gives notice that he requests that the Senate bill (No. 1377, Rec. No. 352) entitled "An act to prescribe regulations for the review of apportionments by the Legislature or other bodies," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Ferguson gives notice that he requests that Senate bill (No. 1158, Rec. No. 324) entitled "An act to amend an act, entitled 'An act to facilitate the construction of the Middleburgh and Schoharie railroad, and to regulate the weight of rail and the fare on the same,' passed May eighth, eighteen hundred and sixty-seven," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Sinclair gives notice that he requests that the Senate bill (No. 1548, Rec. No. 388) entitled "An act in relation to the filing by the supervisors of Columbia county of itemized statements of accounts heretofore audited and paid to them," a copy of which is hereto annexed, be made a special order and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Speaker presented the Twenty-fourth Annual Report of the State Civil Service Commission, which was laid upon the table and ordered printed.

(See Document.)

Also the Ninth Annual Report of the State Superintendent of Elections, which was laid upon the table and ordered printed.

(See Document.)

By unanimous consent, Mr. G. H. Whitney introduced a bill entitled "An act to amend the Agricultural Law, in relation to adulteration of paint" (Int. No. 1911), which was read the first time and referred to the committee on agriculture.

By unanimous consent, Mr. Cuvillier introduced a bill entitled "An act amending the Penal Code relative to furnishing medical

attendance and medicines to persons sick and disabled, to be known as section one hundred and seventy-eight-a, of the Penal Code" (Int. No. 1912), which was read the first time and referred to the committee on codes.

Also, by unanimous consent, "An act conferring jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Henry Bauer against the State and render judgment therefor" (Int. No. 1913), which was read the first time and referred to the committee on claims.

By unanimous consent, Mr. Croak introduced a bill entitled "An act to confirm certain grants or patents of land under the navigable waters of the State" (Int. No. 1914), which was read the first time and referred to the committee on ways and means.

By unanimous consent, Mr. Whitley introduced a bill entitled "An act in relation to the police and fire departments of the city of Rochester" (Int. No. 1915), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Phillips introduced a bill entitled "An act to amend chapter three hundred and thirteen of the Laws of eighteen hundred and seventy-nine, entitled 'An act to provide for the care and protection of Moscow public square and parade ground,' generally" (Int. No. 1916), which was read the first time and referred to the committee on internal affairs.

By unanimous consent, Mr. Wagner introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to the clerk, deputy clerks, assistant clerks, stenographers, interpreters, and attendants in the City Court of the city of New York" (Int. No. 1917), which was read the first time and referred to the committee on codes.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Croak (No. 2721, Int. No. 1453), entitled "An act to amend the Greater New York charter, relative to employees of water works companies," reported in favor of the passage of the same without amendment, and that the same be made a special order on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bill ordered made a special order on second and third reading im-

mediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Cobb (No. 1377, Rec. No. 352), entitled "An act to prescribe regulations for the review of apportionments by the legislature or other bodies."

Also, Senate bill introduced by Mr. Heacock (No. 1158, Rec. No. 324), entitled "An act to amend an act, entitled 'An act to facilitate the construction of the Middleburgh and Schoharie Railroad, and to regulate the weight of rail and the fare on the same,' passed May eighth, eighteen hundred and sixty-seven."

Also, Senate bill introduced by Mr. Smith (No. 1548, Rec. No. 388), entitled "An act in relation to the filing by the supervisors of Columbia county of itemized statements of accounts heretofore audited and paid to them," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. West, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Code of Civil Procedure, in relation to the City Court of the city of New York; increase of the number of justices; salaries of justices; the duties of the justices relating to the appointment and removal of clerks, attendants, et cetera, and their duties, and reference to other matters pertaining to the administration of the court." (No. 2725, Int. No. 287.)

"An act to amend the Penal Code, in relation to the punishment for kidnapping." (No. 2715, Int. No. 1869.)

"An act to amend the Greater New York charter, in relation to water rents and expenses of meters and their connections and setting and the time when such charges become liens and the manner of returning the same." (No. 2709, Int. No. 1793.)

"An act to extend the time of the Batavia and Northern Railroad Company to begin the construction of its road and to expend thereon ten per centum of its capital and to finish its road and put it in operation." (No. 2685, Int. No. 1861.)

"An act to amend the Greater New York charter, in relation to powers of the police commissioner and fire commissioner to rehear charges and reinstate discharged members." (No. 2712, Int. No. 1866.)

"An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled 'An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof,' in relation to increase of the salary of the assistant chief, electrician and permanent firemen of the fire department of said village." (No. 2713, Int. No. 1867.)

"An act to amend subdivision five of section thirty of chapter one hundred and twelve of the Laws of eighteen hundred and ninety-six, entitled 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same, and to provide for local option, constituting chapter twenty-nine of the general laws,' in relation to persons to whom liquor shall not be sold or given away." (No. 2707, Int. No. 1817.)

"An act to prohibit the erection of elevated railroad structures upon certain streets in the city of Yonkers." (No. 2727, Int. No. 1874.)

"An act to amend chapter one hundred and fifteen of the Laws of eighteen hundred and ninety-eight, entitled 'An act to provide for the improvement of the public highways,' in relation to order of construction." (No. 2708, Int. No. 832.)

"An act in relation to claims filed in the office of the comptroller or other financial officer of cities of one million inhabitants or over." (No. 2053, Int. No. 847.)

"An act to amend chapter six hundred and twenty-six of the Laws of nineteen hundred and three, entitled 'An act to suspend the limitation of time for commencement of construction or the completion of railroads while in the hands of receivers,' in relation to the application of the acts to certain cities." (No. 1608, Int. No. 1297.)

"An act to reappropriate certain unexpended balances of former appropriations." (No. 1963, Int. No. 1507.)

"An act to amend chapter three hundred and thirty-four of the Laws of nineteen hundred and one, entitled 'An act in relation to tenement houses in cities of the first class,' as heretofore amended,

in relation to measuring the height of tenement houses fronting on a part of Riverside avenue, in the city of New York." (No. 2724, Rec. No. 349.)

"An act to incorporate the city of Port Jervis." (No. 2720, Int. No. 1760.)

Mr. Speaker announced the special order, being the bill (No. 2385) entitled "An act to amend the Tax Law, in relation to information to be furnished to local assessing officers by recording of officers, duty of local assessing officers and providing penalties" (Int. No. 1594). Said bill having been announced for a second reading,

On motion of Mr. Phillips, said bill was recommitted to the committee on rules, retaining its place on the order of second reading.

Mr. Speaker announced the special order, being the Senate bill (No. 1254) entitled "An act to amend section four hundred and one of the Penal Code, relative to certain offenses connected with the dispensing and sale of drugs and medicines" (Rec. No. 278). Said bill having been announced for a second reading,

On motion of Mr. Francis, and by unanimous consent, said bill was made a special order on second and third reading for Tuesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the Senate bill (No. 1198) entitled "An act to amend section three hundred and eighty-two, of the Code of Civil Procedure, relative to the statute of limitations" (Rec. No. 262). Said bill having been announced for a second reading,

On motion of Mr. Phillips, and by unanimous consent, said bill was made a special order on second and third reading for Tuesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 2721) entitled "An act to amend the Greater New York charter, relative to employees of water works companies." (Int. No. 1453.)

On motion of Mr. Croak, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harris	Mooney	Smith Myron
Boshart	Eggleston	Hart	Morgan	Staley
Brady	Eichhorn	Hastings	Murphy C F	Stern
Brooks	Ferguson	Hoey	Murphy G W	Stevenson
Brough	Feth	Holmes	Nevins	Surpluss
Brown	Filley	Hooper	Newton	Todd
Buckley	Flanagan	Hubbs	Northrup	Volk
Burhyte	Foley C F	Hurd	Norton	Voss
Burns	Foley J A	Jackson	O'Brian	Waddell
Burzynski	Fowler	Keller	Oliver	Wagner
Cavanaugh	Francis	Lansing	Parker	Walters
Chamberlain	Frisbie	Lee	Patton	Waters
Cole	Ganly	Lewis	Phillips	Weber
Colné	Garbe	Loos	Prince	Weimert
Conklin	Geoghagan	Lowe	Ralston	Wells
Conrady	Glore	Lupton	Reece	West
Croak	Gluck	Maher	Robinson	Whitley
Cunningham	Glynn	Mallon	Rogers	Whitney F G
Cuvillier	Goldberg	Mance	Schmidt	Whitney G H
De Groot	Gray	Marlatt	Schoeneck	Wood
Dobbs	Green	Matthews	Schulz	Yale
Dominy	Gunderman	McCue	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1377) entitled "An act to prescribe regulations for the review of apportionments by the Legislature or other bodies." (Rec. No. 352.) Said bill having been announced for a second reading,

On motion of Mr. Wood, and by unanimous consent, said bill was made a special order on second and third reading for Tuesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the Senate bill (No. 1158) entitled "An act to amend an act, entitled 'An act to facilitate the construction of the Middleburgh and Schoharie

Railroad, and to regulate the weight of rail and the fare on the same,' passed May eighth, eighteen hundred and sixty-seven." (Rec. No. 324.)

On motion of Mr. Ferguson, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harris	Mooney	Smith Myron
Boshart	Eggleston	Hart	Morgan	Staley
Brady	Eichhorn	Hastings	Murphy C F	Stern
Brooks	Ferguson	Hoey	Murphy G W	Stevenson
Brough	Feth	Holmes	Nevins	Surpless
Brown	Filley	Hooper	Newton	Todd
Buckley	Flanagan	Hubbs	Northrup	Volk
Burhyte	Foley C F	Hurd	Norton	Voss
Burns	Foley J A	Jackson	O'Brian	Waddell
Burzynski	Fowler	Keller	Oliver	Wagner
Cavanaugh	Francis	Lansing	Parker	Walters
Chamberlain	Frisbie	Lee	Patton	Waters
Cole	Ganly	Lewis	Phillips	Weber
Colné	Garbe	Loos	Prince	Weimert
Conklin	Geoghagan	Lowe	Ralston	Wells
Conrady	Glore	Lupton	Reece	West
Croak	Gluck	Maher	Robinson	Whitley
Cunningham	Glynn	Mallon	Rogers	Whitney F G
Cuvillier	Goldberg	Mance	Schmidt	Whitney G H
De Groot	Gray	Marlatt	Schoeneck	Wood
Dobbs	Green	Matthews	Schulz	Yale
Dominy	Gunderman	McCue	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1548) entitled "An act in relation to the filing by the super-

visors of Columbia county of itemized statements of accounts heretofore audited and paid to them" (Rec. No. 388). Said bill having been announced for a second reading,

On motion of Mr. Sinclair, and by unanimous consent, said bill was made a special order on second and third reading for Tuesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the Senate bill (No. 501, Assembly reprint No. 2738) entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relative to the formation of an Appellate Term in the second judicial department, appointing clerks and attendants, and to provide for the expenses thereof." (Rec. No. 75.)

On motion of Mr. Lee, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harris	Mooney	Smith Myron
Boshart	Eggleston	Hart	Morgan	Staley
Brady	Eichhorn	Hastings	Murphy C F	Stern
Brooks	Ferguson	Hoey	Murphy G W	Stevenson
Brough	Feth	Holmes	Nevins	Surpless
Brown	Filley	Hooper	Newton	Todd
Buckley	Flanagan	Hubbs	Northrup	Volk
Burhyte	Foley C F	Hurd	Norton	Voss
Burns	Foley J A	Jackson	O'Brian	Waddell
Burzynski	Fowler	Keller	Oliver	Wagner
Cavanaugh	Francis	Lansing	Parker	Walters
Chamberlain	Frisbie	Lee	Patton	Waters
Cole	Ganly	Lewis	Phillips	Weber
Colné	Garbe	Loos	Prince	Weimert

Conklin	Geoghagan	Lowe	Ralston	Wells
Conrady	Glore	Lupton	Reece	West
Croak	Gluck	Maher	Robinson	Whitley
Cunningham	Glynn	Mallon	Rogers	Whitney F G
Cuvillier	Goldberg	Mance	Schmidt	Whitney G H
De Groot	Gray	Marlatt	Schoeneck	Wood
Dobbs	Green	Matthews	Schulz	Yale
Dominy	Gunderman	McCue	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

A message was received from the Senate, in the words following:

IN SENATE, May 9, 1907.

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 781, Senate reprint No. 1624, Rec. No. 57) entitled "An act to amend the county law, relative to the appointment, duties and salaries of the assistant district attorneys of certain counties."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Harte, and by unanimous consent, the same was amended by substituting Senate bill No. 1624.

Said bill, as amended, was reprinted, re-engrossed, and, having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

LAFAYETTE B. GLEASON,

Clerk.

Said bill having been announced, Mr. DeGroot moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harris	Mooney	Smith Myron

Boshart	Eggleston	Hart	Morgan	Staley
Brady	Eichhorn	Hastings	Murphy C F	Stern
Brooks	Ferguson	Hoey	Murphy G W	Stevenson
Brough	Feth	Holmes	Nevins	Surplless
Brown	Filley	Hooper	Newton	Todd
Buckley	Flanagan	Hubbs	Northrup	Volk
Burhyte	Foley C F	Hurd	Norton	Voss
Burns	Foley J A	Jackson	O'Brian	Waddell
Burzynski	Fowler	Keller	Oliver	Wagner
Cavanaugh	Francis	Lansing	Parker	Walters
Chamberlain	Frisbie	Lee	Patton	Waters
Cole	Ganly	Lewis	Phillips	Weber
Colné	Garbe	Loos	Prince	Weimert
Conklin	Geoghagan	Lowe	Ralston	Wells
Conrady	Glore	Lupton	Reece	West
Croak	Gluck	Maher	Robinson	Whitley
Cunningham	Glynn	Mallon	Rogers	Whitney F G
Cuvillier	Goldberg	Mance	Schmidt	Whitney G H
De Groot	Gray	Marlatt	Schoeneck	Wood
Dobbs	Green	Matthews	Schulz	Yale
Dominy	Gunderman	McCue	Sheridan	Young
Donnelly	Hackett			

Said bill, as amended, was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harris	Mooney	Smith Myron
Boshart	Eggleston	Hart	Morgan	Staley
Brady	Eichhorn	Hastings	Murphy C F	Stern
Brooks	Ferguson	Hoey	Murphy G W	Stevenson
Brough	Feth	Holmes	Nevins	Surplless
Brown	Filley	Hooper	Newton	Todd
Buckley	Flanagan	Hubbs	Northrup	Volk
Burhyte	Foley C F	Hurd	Norton	Voss
Burns	Foley J A	Jackson	O'Brian	Waddell
Burzynski	Fowler	Keller	Oliver	Wagner
Cavanaugh	Francis	Lansing	Parker	Walters
Chamberlain	Frisbie	Lee	Patton	Waters
Cole	Ganly	Lewis	Phillips	Weber
Colné	Garbe	Loos	Prince	Weimert
Conklin	Geoghagan	Lowe	Ralston	Wells
Conrady	Glore	Lupton	Reece	West
Croak	Gluck	Maher	Robinson	Whitley
Cunningham	Glynn	Mallon	Rogers	Whitney F G

Cuvillier	Goldberg	Mance	Schmidt	Whitney G_H
De Groot	Gray	Marlatt	Schoeneck	Wood
Dobbs	Green	Matthews	Schulz	Yale
Dominy	Gunderman	McCue	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same.

A message was received from the Senate, in the words following:

IN SENATE, May 6, 1907.

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 939, Senate reprint No. 1570, Rec. No. 172) entitled "An act to amend chapter sixty-six of the laws of nineteen hundred and six, entitled 'An act to make the office of sheriff of the county of Warren a salaried office,' in relation to the payment of subordinates and the number of deputies."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Emerson, and by unanimous consent, the same was amended as follows:

Page 2, line 15, after the word "jailer" insert "and the board of supervisors shall fix their salaries".

Page 2, line 15, bracket the word "he" and insert in italics "The board of supervisors shall designate the number of deputies to be appointed and the amount of salary to be received by each which salary shall be payable monthly, and the sheriff".

Page 2, line 15, strike out the word "five" and insert in place thereof in italics the word "such".

Page 2, strike out the bracket at the end of line 23.

Page 2, line 24, strike out the brackets before and after the word "four" and also strike out the word "five".

Page 3, line 2, strike out the brackets before and after the word "two" and also strike out the word "three".

Page 3, line 3, insert a bracket after the word "dollars".

Said bill, as amended, was reprinted, re-engrossed, and, having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

LAFAYETTE B. GLEASON,

Clerk.

Said bill having been announced, Mr. Waddell moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harris	Mooney	Smith Myron
Boshart	Eggleston	Hart	Morgan	Staley
Brady	Eichhorn	Hastings	Murphy C F	Stern
Brooks	Ferguson	Hoey	Murphy G W	Stevenson
Brough	Feth	Holmes	Nevins	Surpless
Brown	Filley	Hooper	Newton	Todd
Buckley	Flanagan	Hubbs	Northrup	Volk
Bürhyte	Foley C F	Hurd	Norton	Voss
Burns	Foley J A	Jackson	O'Brian	Waddell
Burzynski	Fowler	Keller	Oliver	Wagner
Cavanaugh	Francis	Lansing	Parker	Walters
Chamberlain	Frisbie	Lee	Patton	Waters
Cole	Ganly	Lewis	Phillips	Weber
Colné	Garbe	Loos	Prince	Weimert
Conklin	Geoghagan	Lowe	Ralston	Wells
Conrady	Glore	Lupton	Reece	West
Croak	Gluck	Maher	Robinson	Whitley
Cunningham	Glynn	Mallon	Rogers	Whitney F G
Cuvillier	Goldberg	Mance	Schmidt	Whitney G H
De Groot	Gray	Marlatt	Schoeneck	Wood
Dobbs	Green	Matthews	Schulz	Yale
Dominy	Gunderman	McCue	Sheridan	Young
Donnelly	Hackett			

Said bill, as amended, was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C

Bohan	Eagleton	Harris	Mooney	Smith Myron
Boshart	Eggleston	Hart	Morgan	Staley
Brady	Eichhorn	Hastings	Murphy C F	Stern
Brooks	Ferguson	Hoey	Murphy G W	Stevenson
Brough	Feth	Holmes	Nevins	Surpluss
Brown	Filley	Hooper	Newton	Todd
Buckley	Flanagan	Hubbs	Northrup	Volk
Burhyte	Foley C F	Hurd	Norton	Voss
Burns	Foley J A	Jackson	O'Brian	Waddell
Burzynski	Fowler	Keller	Oliver	Wagner
Cavanaugh	Francis	Lansing	Parker	Walters
Chamberlain	Frisbie	Lee	Patton	Waters
Cole	Ganly	Lewis	Phillips	Weber
Colné	Garbe	Loos	Prince	Weimert
Conklin	Geoghagan	Lowe	Ralston	Wells
Conrady	Glore	Lupton	Reece	West
Croak	Gluck	Maher	Robinson	Whitley
Cunningham	Glynn	Mallon	Rogers	Whitney F G
Cuvillier	Goldberg	Mance	Schmidt	Whitney G H
De Groot	Gray	Marlatt	Schoeneck	Wood
Dobbs	Green	Matthews	Schulz	Yale
Dominy	Gunderman	McCue	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same.

A message was received from the Senate, in the words following:

IN SENATE, May 9, 1907.

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 989, Senate reprint No. 1612, Rec. No. 208) entitled "An act to amend chapter three hundred and fifteen of the laws of eighteen hundred and ninety-five, entitled 'An act to amend and consolidate the several acts relating to the village of Ilion,' relative to salaries of policemen."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Heacock, and by unanimous consent, the same was amended as follows:

On page 1, line 8, after the word "board" strike out the comma and also inclose in brackets the following "not exceeding in any case, except as herein provided fifty dollars per month." Same page, line 9, strike out the brackets around the word "fifty". Same page and line, before the word "dollars" strike out the word "sixty".

Said bill, as amended, was reprinted, re-engrossed, and, having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

LAFAYETTE B. GLEASON,

Clerk.

Said bill having been announced, Mr. Ferguson moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harris	Mooney	Smith Myron
Boshart	Eggleston	Hart	Morgan	Staley
Brady	Eichhorn	Hastings	Murphy C F	Stern
Brooks	Ferguson	Hoey	Murphy G W	Stevenson
Brough	Feth	Holmes	Nevins	Surpless
Brown	Filley	Hooper	Newton	Todd
Buckley	Flanagan	Hubbs	Northrup	Volk
Burhyte	Foley C F	Hurd	Norton	Voss
Burns	Foley J A	Jackson	O'Brian	Waddell
Burzynski	Fowler	Keller	Oliver	Wagner
Cavanaugh	Francis	Lansing	Parker	Walters
Chamberlain	Frisbie	Lee	Patton	Waters
Cole	Ganly	Lewis	Phillips	Weber
Colné	Garbe	Loos	Prince	Weimert
Conklin	Geoghagan	Lowe	Ralston	Wells
Conrady	Glore	Lupton	Reece	West
Croak	Gluck	Maher	Robinson	Whitley
Cunningham	Glynn	Mallon	Rogers	Whitney F G
Cuvillier	Goldberg	Mance	Schmidt	Whitney G H
De Groot	Gray	Marlatt	Schoeneck	Wood
Dobbs	Green	Matthews	Schulz	Yale
Dominy	Gunderman	McCue	Sheridan	Young
Donnelly	Hackett			

Said bill, as amended, was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harris	Mooney	Smith Myron
Boshart	Eggleston	Hart	Morgan	Staley
Brady	Eichhorn	Hastings	Murphy C F	Stern
Brooks	Ferguson	Hoey	Murphy G W	Stevenson
Brough	Feth	Holmes	Nevins	Surpless
Brown	Filley	Hooper	Newton	Todd
Buckley	Flanagan	Hubbs	Northrup	Volk
Burhyte	Foley C F	Hurd	Norton	Voss
Burns	Foley J A	Jackson	O'Brian	Waddell
Burzynski	Fowler	Keller	Oliver	Wagner
Cavanaugh	Francis	Lansing	Parker	Walters
Chamberlain	Frisbie	Lee	Patton	Waters
Cole	Ganly	Lewis	Phillips	Weber
Colné	Garbe	Loos	Prince	Weimert
Conklin	Geoghagan	Lowe	Ralston	Wells
Conrady	Glore	Lupton	Reece	West
Croak	Gluck	Maher	Robinson	Whitley
Cunningham	Glynn	Mallon	Rogers	Whitney F G
Cuvillier	Goldberg	Mance	Schmidt	Whitney G H
De Groot	Gray	Marlatt	Schoeneck	Wood
Dobbs	Green	Matthews	Schulz	Yale
Dominy	Gunderman	McCue	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same.

The Senate returned the Assembly bill (No. 2433, Senate reprint No. 1605, Int. No. 1739) entitled "An act to amend chapter four hundred and seventy-nine of the Laws of nineteen hundred and three, entitled 'An act for the improvement and repair of streets and roads in Yonkers that have existed as public streets for twenty years, and to issue bonds for the payment thereof,'" with a message that they have concurred in the passage of the same, with the following amendments:

On page 2, between lines 19 and 20, insert the following new section:

"§ 2. Nothing herein contained shall be deemed or held to supersede any of the provisions of chapter four hundred and seventy-three of the laws of nineteen hundred and six."

Same page, line 20, before the word "this" strike out "2" and insert in lieu thereof "3".

Mr. Haines moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harris	Mooney	Smith Myron
Boshart	Eggleston	Hart	Morgan	Staley
Brady	Eichhorn	Hastings	Murphy C F	Stern
Brooks	Ferguson	Hoey	Murphy G W	Stevenson
Brough	Feth	Holmes	Nevins	Surpless
Brown	Filley	Hooper	Newton	Todd
Buckley	Flanagan	Hubbs	Northrup	Volk
Burhyte	Foley C F	Hurd	Norton	Voss
Burns	Foley J A	Jackson	O'Brian	Waddell
Burzynski	Fowler	Keller	Oliver	Wagner
Cavanaugh	Francis	Lansing	Parker	Walters
Chamberlain	Frisbie	Lee	Patton	Waters
Cole	Ganly	Lewis	Phillips	Weber
Colné	Garbe	Loos	Prince	Weimert
Conklin	Geoghagan	Lowe	Ralston	Wells
Conrady	Glore	Lupton	Reece	West
Croak	Gluck	Maher	Robinson	Whitley
Cunningham	Glynn	Mallon	Rogers	Whitney F G
Cuvillier	Goldberg	Mance	Schmidt	Whitney G H
De Groot	Gray	Marlatt	Schoeneck	Wood
Dobbs	Green	Matthews	Schulz	Yale
Dominy	Gunderman	McCue	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2294, Senate reprint No. 1602, Int. No. 1669) entitled "An act to amend the State Charities Law, in relation to the membership of the State Board of Charities" with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 8, strike out the brackets around the word "twelve".

Same page, lines 1 and 2 of title, strike out the words "number of members" and insert in lieu thereof "membership".

On page 2, line 1, before the word "one" insert a bracket. Same page, line 2, after the word "Kings," insert a bracket. Same page and line, after the word "three" inclose in brackets "additional members". Same page, line 3, after the word "the" inclose the word "county" in brackets, and insert the word "city". Same page and line, after the word "shall" inclose in brackets the word "respectively". Same page, line 4, after the word "such" insert "city" and inclose in brackets the word "counties".

Mr. Wainwright moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harris	Mooney	Smith Myron
Boshart	Eggleston	Hart	Morgan	Staley
Brady	Eichhorn	Hastings	Murphy C F	Stern
Brooks	Ferguson	Hoey	Murphy G W	Stevenson
Brough	Feth	Holmes	Nevins	Surpluss
Brown	Filley	Hooper	Newton	Todd
Buckley	Flanagan	Hubbs	Northrup	Volk
Burhyte	Foley C F	Hurd	Norton	Voss
Burns	Foley J A	Jackson	O'Brian	Waddell
Burzynski	Fowler	Keller	Oliver	Wagner
Cavanaugh	Francis	Lansing	Parker	Walters
Chamberlain	Frisbie	Lee	Patton	Waters
Cole	Ganly	Lewis	Phillips	Weber
Colné	Garbe	Loos	Prince	Weimert
Conklin	Geoghagan	Lowe	Ralston	Wells
Conrady	Glore	Lupton	Reece	West
Croak	Gluck	Maher	Robinson	Whitley
Cunningham	Glynn	Mallon	Rogers	Whitney F G
Cuvillier	Goldberg	Mance	Schmidt	Whitney G H
De Groot	Gray	Marlatt	Schoeneck	Wood
Dobbs	Green	Matthews	Schulz	Yale
Dominy	Gunderman	McCue	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments or the Senate thereto.

The Senate returned the Assembly bill (No. 1569, Senate reprint No. 1609, Int. No. 1276) entitled "An act to amend the Greater New York charter, in relation to salary of city marshals," with a message that they have concurred in the passage of the same, with the following amendments:

On page 3, line 9, after the word "capacity." insert the following: "The provisions of the foregoing section shall not apply to the city marshal assigned to the office of the receiver of taxes and engaged in the collection of arrears of personal taxes." Same page, line 14, after the word "York" insert "except as provided in section one thousand five hundred and fifty".

Mr. Donnelly moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harris	Mooney	Smith Myron
Boshart	Eggleston	Hart	Morgan	Staley
Brady	Eichhorn	Hastings	Murphy C F	Stern
Brooks	Ferguson	Hoey	Murphy G W	Stevenson
Brough	Feth	Holmes	Nevins	Surplless
Brown	Filley	Hooper	Newton	Todd
Buckley	Flanagan	Hubbs	Northrup	Volk
Burhyte	Foley C F	Hurd	Norton	Voss
Burns	Foley J A	Jackson	O'Brian	Waddell
Burzynski	Fowler	Keller	Oliver	Wagner
Cavanaugh	Francis	Lansing	Parker	Walters
Chamberlain	Frisbie	Lee	Patton	Waters
Cole	Ganly	Lewis	Phillips	Weber
Colné	Garbe	Loos	Prince	Weimert
Conklin	Geoghagan	Lowe	Ralston	Wells
Conrady	Glore	Lupton	Reece	West
Croak	Gluck	Maher	Robinson	Whitley

Cunningham	Glynn	Mallon	Rogers	Whitney F G
Cuvillier	Goldberg	Mance	Schmidt	Whitney G H
De Groot	Gray	Marlatt	Schoeneck	Wood
Dobbs	Green	Matthews	Schulz	Yale
Dominy	Gunderman	McCue	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2009, Senate re-print No. 1589, Int. No. 1534) entitled "An act authorizing and empowering the board of estimate and apportionment of the city of New York, in its discretion, to take action relative to the necessary expenses incurred in relation to acquiring title to property at the foot of Housman avenue, borough of Richmond, city of New York," with a message that they have concurred in the passage of the same, with the following amendments:

Strike out all of title commencing with "Ratifying" down to and including the word "and", first appearing, in third line of title. Commence word "authorizing" on line 3 of title with a capital.

In line 4 of title, after "apportionment" insert "of the City of New York".

In line 6 of title, strike out "the same".

In line 6 of title, after "to" insert "acquiring title to property at the foot of Housman Avenue, Borough of Richmond, City of New York."

Page 1, strike out all of lines 1, 2, 3, 4, 5.

Page 1, strike out section 2 and renumber section 1.

Page 2, line 1, strike out "this" and insert "the".

Page 2, line 1, after "proceeding" insert "to acquire property at the foot of Housman avenue, from Richmond terrace to the Pierhead line in the Borough of Richmond, City of New York".

Page 2, line 4, strike out section 3 and insert in lieu thereof section 2.

Mr. Croak moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harris	Mooney	Smith Myron
Boshart	Eggleston	Hart	Morgan	Staley
Brady	Eichhorn	Hastings	Murphy C F	Stern
Brooks	Ferguson	Hoey	Murphy G W	Stevenson
Brough	Feth	Holmes	Nevins	Surplless
Brown	Filley	Hooper	Newton	Todd
Buckley	Flanagan	Hubbs	Northrup	Volk
Burhyte	Foley C F	Hurd	Norton	Voss
Burns	Foley J A	Jackson	O'Brian	Waddell
Burzynski	Fowler	Keller	Oliver	Wagner
Cavanaugh	Francis	Lansing	Parker	Walters
Chamberlain	Frisbie	Lee	Patton	Waters
Cole	Ganly	Lewis	Phillips	Weber
Colne	Garbe	Loos	Prince	Weimert
Conklin	Geoghagan	Lowe	Ralston	Wells
Conrady	Glore	Lupton	Reece	West
Croak	Gluck	Maher	Robinson	Whitley
Cunningham	Glynn	Mallon	Rogers	Whitney F G
Cuvillier	Goldberg	Mance	Schmidt	Whitney G H
De Groot	Gray	Marlatt	Schoeneck	Wood
Dobbs	Green	Matthews	Schulz	Yale
Dominy	Gunderman	McCue	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1506, Senate reprint No. 1568, Int. No. 1017) entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain assessments upon certain real property of the Trinity Methodist Episcopal church and the Church of Saint Mary Star of the Sea in said city," with a message that they have concurred in the passage of the same, with the following amendments:

In first line of title, strike out "comptroller" and insert in lieu thereof "commissioners of the sinking fund".

On page 1, line 1, strike out "comptroller" and insert in lieu thereof "commissioners of the sinking fund".

Same page and line, strike out "is" and insert in lieu thereof "are".

Same page, line 2, strike out "his" and insert in lieu thereof "their".

Mr. Dobbs moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in said amendments, said bill having been printed and upon the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harris	Mooney	Smith Myron
Boshart	Eggleston	Hart	Morgan	Staley
Brady	Eichhorn	Hastings	Murphy C F	Stern
Brooks	Ferguson	Hoey	Murphy G W	Stevenson
Brough	Feth	Holmes	Nevins	Surpless
Brown	Filley	Hooper	Newton	Todd
Buckley	Flanagan	Hubbs	Northrup	Volk
Burhyte	Foley C F	Hurd	Norton	Voss
Burns	Foley J A	Jackson	O'Brian	Waddell
Burzynski	Fowler	Keller	Oliver	Wagner
Cavanaugh	Francis	Lansing	Parker	Walters
Chamberlain	Frisbie	Lee	Patton	Waters
Cole	Ganly	Lewis	Phillips	Weber
Colne	Garbe	Loos	Prince	Weimert
Conklin	Geoghagan	Lowe	Ralston	Wells
Conrad	Glore	Lupton	Reece	West
Croak	Gluck	Maher	Robinson	Whitley
Cunningham	Glynn	Mallon	Rogers	Whitney F G
Cuvillier	Goldberg	Mance	Schmidt	Whitney G H
De Groot	Gray	Marlatt	Schoeneck	Wood
Dobbs	Green	Matthews	Schulz	Yale
Dominy	Gunderman	McCue	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

Mr. Burns offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 822, Int. No. 757) entitled: "An act to amend the Greater New York charter, relating to the uniformed force of the fire department," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Waters offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 870, Senate reprint No. 1221, Int. No. 805) entitled "An act to provide for the paving and improvement of certain streets in the village of Green Island, Albany county, New York, and to provide for the method and means of paying therefor," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the Assembly bill (No. 2112, Senate reprint No. 1608, Int. No. 1510) entitled "An act making an appropriation for the national encampment of the Grand Army of the Republic to be held in the village of Saratoga Springs in the month of September, nineteen hundred and seven."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, *May 20, 1907.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 1274, Rec. No. 275) entitled "An act to amend chapter three hundred of the laws of nineteen hundred and four, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls,' " for the purpose of amendment.

By order of the Senate,

LAFAYETTE B. GLEASON,

Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 870, Senate reprint No. 1221, Int. No. 805) entitled "An act to provide for the paving and improvement of certain streets in the village of Green Island, Albany county, New York, and to provide for the method and means of paying therefor," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 822, Int. No. 757) entitled "An act to amend the Greater New York charter, relating to the uniformed force of the fire department," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Stratton of Chenango and Mr. Harper of Seneca were excused until Tuesday next.

On motion of Mr. Moreland, the House adjourned.

TUESDAY, MAY 21, 1907.

The House met pursuant to adjournment.

Prayer by Rev. John Bulnes, De Forrestville, Rensselaer county.

On motion of Mr. Moreland, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. Speaker presented the Twentieth Annual Report of the Mohawk and Hudson River Humane Society, which was laid upon the table and ordered printed.

(See Document No. 8.)

Mr. Schmidt gives notice that he requests that Assembly bill (No. 2749, Int. No. 1889) entitled "An act to authorize and empower the commissioners of the sinking fund of the city of New York to refund to the Saint Paul's German Evangelical

Reformed Church or the trustees thereof, moneys paid as assessment for public improvements upon certain real property belonging to said church in the borough of the Bronx, New York city," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. G. H. Whitney gives notice that he requests that Assembly bill (No. 2295, Int. No. 1670) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section seven of article six of the Constitution in relation to judges of the Court of Appeals and justices of the Supreme Court," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Moreland gives notice that he requests that Assembly bill (No. 2725, Int. No. 1877) entitled "An act conferring jurisdiction upon the Court of Claims to rehear and determine the claim of Michael C. Murphy against the State, and to make an award therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Merritt gives notice that he requests that Assembly bill (No. 2107, Int. No. 1582) entitled "An act relating to right of persons to go upon unimproved lands," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Hamilton gives notice that he requests that Assembly bill (No. 2766, Int. No. 1896) entitled "An act to amend chapter three hundred and ninety-six of the Laws of eighteen hundred and eighty-five, entitled 'An act to revise the charter of the city of Dunkirk,' in relation to construction of sewers, interest on deferred payments and bonds for such improvements," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the

purpose of making the said bill a special order on second and third reading.

Mr. Dobbs gives notice that he requests that Assembly bill (No. 1174, Int. No. 1015) entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' in relation to the jurisdiction of such court," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Frisbie gives notice that he requests that Assembly bill (No. 2728, Int. No. 1875) entitled "An act to legalize the proceedings of certain meetings of the voters of school districts number twelve, towns of Rotterdam and Niskayuna, Schenectady county, New York, and of the trustees of said district in the issuance and sale of bonds to the amount of eighteen thousand dollars," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Hamn gives notice that he requests that Assembly bill (No. 2748, Int. No. 1888) entitled "An act to amend chapter four hundred and fourteen, entitled 'The Village Law,' constituting chapter twenty-one of the general laws," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Brough gives notice that he requests that Assembly bill (No. 2742, Int. No. 1882) entitled "An act to authorize the Church of the Intercession to dispose of its property and become dissolved," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Dobbs gives notice that he requests that Assembly bill (No. 2750, Int. No. 1890) entitled "An act to amend the

Greater New York charter, in relation to qualifications of firemen," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Burhyte gives notice that he requests that Assembly bill (No. 2747, Int. No. 1887) entitled "An act to incorporate the city of Oneida in relation to bonds for local improvement," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Brough gives notice that he requests that Assembly bill (No. 2741, Int. No. 1881) entitled "An act to authorize any Protestant Episcopal church in the diocese of New York to convey all its property subject to the payment of its debts to any other Protestant Episcopal church in said diocese," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Robinson gives notice that he requests that Senate bill (No. 1599, Rec. No. 401) entitled "An act to amend chapter three of title five of part one of the Code of Criminal Procedure of the State of New York, entitled 'The Court of General Sessions in the city and county of New York,'" a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Robinson gives notice that he requests that the Senate bill (No. 1600, Rec. No. 402) entitled "An act to amend chapter two of title four of part four of the Code of Criminal Procedure of the State of New York, entitled 'Formation of the grand jury, its powers and duties,'" a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Prentice gives notice that he requests that Senate bill

(No. 837, Assembly reprint No. 2697, Rec. No. 225) entitled "An act to amend the Greater New York charter, in relation to inferior courts of criminal jurisdiction," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. F. G. Whitney gives notice that he requests that Assembly bill (No. 2770, Int. No. 1900) entitled "An act to amend the Liquor Tax Law, in relation to the definition of trafficking in liquors," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Rogers gives notice that he requests that Assembly bill (No. 2771, Int. No. 1901) entitled "An act to amend the Election Law, in relation to filling of vacancies in elective offices," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

By unanimous consent, Mr. Apgar introduced a bill entitled "An act to legalize the bonds of union free school district number ten, of the town of Greenburgh, Westchester county, New York, in the amount of fifteen thousand dollars, sold for the purpose of defraying the expense of building an addition to the school building in said district, and for furnishing and heating the same, and to provide for the payment of said bonds" (Int. No. 1918), which was read the first time and referred to the committee on internal affairs.

By unanimous consent, Mr. Burns introduced a bill entitled "An act to amend chapter six hundred and eighty-three of the Laws of eighteen hundred and ninety-two, entitled 'An act in relation to executive officers, constituting chapter nine of the general laws,' in relation to the salary of the Deputy State Engineer" (Int. No. 1919), which was read the first time and referred to the committee on ways and means.

By unanimous consent, Mr. Dudley introduced a bill entitled "An act to provide for the improvement of Central street in

the village of Moravia, Cayuga county, New York, from Main street to the western terminus of Central street with pavement, and to provide for the issuing of bonds in aid of such construction" (Int. No. 1920), which was read the first time and referred to the committee on affairs of villages.

By unanimous consent, Mr. Morton introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to hounding in the county of Washington" (Int. No. 1921), which was read the first time and referred to the committee on fisheries and game.

By unanimous consent, Mr. Apgar introduced a bill entitled "An act to amend the Penal Code, relative to the punishment of kidnapping" (Int. No. 1922), which was read the first time and referred to the committee on codes.

By unanimous consent, Mr. Prentice introduced a bill entitled "An act to regulate street peddling in the city of New York" (Int. No. 1923), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, the committee on internal affairs introduced a bill entitled "An act to approve a map of the highways prepared by the State Engineer and Surveyor and to provide for an apportionment of highways to be improved with funds made available by the sale of bonds under the provisions of section twelve of article seven of the Constitution, and to authorize the preparation and distribution of such maps and making an appropriation therefor" (Int. No. 1924), which was read the first time and referred to the committee on internal affairs.

By unanimous consent, Mr. A. E. Smith introduced a bill entitled "An act to amend section one of chapter six hundred and two of the Laws of nineteen hundred and one, entitled 'An act to provide for the appointment of a commissioner of jurors and to provide for a special jury in civil and criminal actions in each county of the State having a population of one million or more, according to the last preceding federal census' with regard to the commissioner's salary" (Int. No. 1925), which was read the first time and referred to the committee on codes.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Schmidt (No. 2749, Int.

No. 1889), entitled "An act to authorize and empower the commissioners of the sinking fund of the city of New York to refund to the Saint Paul's German Evangelical Reformed church or the trustees thereof, moneys paid as assessment for public improvements upon certain real property belonging to said church in the borough of the Bronx, New York city."

Also, Assembly bill introduced by Mr. G. H. Whitney (No. 2295, Int. No. 1670), entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section seven of article six of the Constitution in relation to judges of the Court of Appeals and justices of the Supreme Court."

Also, Assembly bill introduced by Mr. Moreland (No. 2735, Int. No. 1877), entitled "An act conferring jurisdiction upon the Court of Claims to rehear and determine the claim of Michael C. Murphy against the State, and to make an award therefor."

Also, Assembly bill introduced by Mr. Merritt (No. 2107, Int. No. 1582), entitled "An act relating to right of persons to go upon unimproved lands."

Also, Assembly bill introduced by Mr. Dobbs (No. 1174, Int. No. 1015), entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' in relation to the jurisdiction of such court."

Also, Assembly bill introduced by Mr. Hamilton (No. 2766, Int. No. 1896), entitled "An act to amend chapter three hundred and ninety-six of the Laws of eighteen hundred and eighty-five, entitled 'An act to revise the charter of the city of Dunkirk,' in relation to construction of sewers, interest on deferred payments and bonds for such improvements."

Also, Assembly bill introduced by Mr. Frisbie (No. 2728, Int. No. 1875), entitled "An act to legalize the proceedings of certain meetings of the voters of school district number twelve, towns of Rotterdam and Niskayuna, Schenectady county, New York, and of the trustee of said district in the issuance and sale of bonds to the amount of eighteen thousand dollars."

Also, Assembly bill introduced by Mr. Hamn (No. 2748, Int. No. 1888), entitled "An act to amend chapter four hundred and

fourteen, entitled the Village Law, constituting chapter twenty-one of the general laws."

Also, Assembly bill introduced by Mr. Brough (No. 2742, Int. No. 1882), entitled "An act to authorize the Church of the Intercession to dispose of its property and become dissolved."

Also, Assembly bill introduced by Mr. Dobbs (No. 2750, Int. No. 1890), entitled "An act to amend the Greater New York charter, in relation to qualifications of firemen."

Also, Assembly bill introduced by Mr. Burhyte (No. 2747, Int. No. 1887), entitled "An act to amend chapter two hundred and twenty-five of the Laws of nineteen hundred and one, entitled 'An act to incorporate the city of Oneida,' in relation to bonds for local improvements."

Also, Assembly bill introduced by Mr. Brough (No. 2741, Int. No. 1881), entitled "An act to authorize any Protestant Episcopal church in the diocese of New York to convey all its property subject to the payment of its debts to any other Protestant Episcopal church in said diocese," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Page (No. 1599, Rec. No. 401), entitled "An act to amend chapter three of title five of part one of the Code of Criminal Procedure of the State of New York, entitled 'The Court of General Sessions in the city and county of New York.'"

Also, Senate bill introduced by Mr. Page (No. 1600, Rec. No. 402), entitled "An act to amend chapter two of title four of part four of the Code of Criminal Procedure of the State of New York, entitled 'Formation of the grand jury, its powers and duties,'"

reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading, immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to,

and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill introduced by Mr. Agnew (No. 837, Assembly reprint No. 2697, Rec. No. 225), entitled "An act to amend the Greater New York charter, in relation to inferior courts of criminal jurisdiction," reported the same with the following amendments:

On page 1, line 2, after "charter," insert "as re-enacted by chapter four hundred and sixty-six of the laws of nineteen hundred and one,".

On page 1, line 8, after "and" insert "seven" and bracket the following word "two".

On page 1, line 9, after the word "appointed" bracket the words "or elected".

On page 2, line 3, after the first "of" insert "twenty-one" and bracket the following word "fifteen".

On same line page, bracket "ten" and insert thereafter "fourteen".

On page 2, line 4, bracket "three" and insert thereafter "five".

On page 2, line 5, after "Richmond" and before the comma insert left bracket [.

On page 2, line 6, after "provided" and before the period insert right bracket].

On page 2, line 9, strike out "city magistrates".

On page 2, line 10, after "1392." insert "Terms and appointments of magistrates.—"

Same page and line, after "magistrates" and before "of" insert left bracket [.

Same page and line, after "division" insert right bracket].

On page 2, line 11, bracket "two," and insert thereafter "seven".

On page 2, line 12, after "terms," insert left bracket [.

On page 2, line 17, after "years." insert right bracket].

On page 2, line 17, after "years." insert "The mayor of the city of New York shall within thirty days after this act shall take effect appoint six city magistrates, residents of the second division, four of whom shall also be residents of the borough of Brooklyn and two of whom shall also be residents of the borough of Queens, and all of whom shall possess the qualifications prescribed in section fourteen hundred and one and who shall hold office for the term of ten years."

On page 2, line 17, strike out "sixteen".

On page 2, line 19, after "in" and before "said" insert "any of".

On page 2, line 20, bracket "office" and insert thereafter "offices".

On page 2, line 20, bracket "in the first division,".

On page 2, line 26, after "magistrate" bracket "in the first division,".

On page 3, line 7, before "the" insert left bracket [.

On page 6, line 5, after "occur." insert right bracket].

On page 6, line 6, bracket "elected or".

On page 7, lines 23, 24, 25, 26 not in italics.

On page 8, line 1, not in italics.

On page 8, line 1, after "years" insert "." and strike out balance of line.

On page 8, strike out lines 2, 3 and 4.

and requests that said bill be reprinted, as amended, and re-committed to said committee.

Which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. F. G. Whitney (No. 2770, Int. No. 1900) entitled "An act to amend the Liquor Tax Law, in relation to the definition of trafficking in liquors," reported the same with the following amendment:

On page 4, line 24, after the word "substance" insert: "and which shall contain a sufficient quantity of each such drug or medicinal ingredient as will administer to the person taking the same internally as prescribed in doses on the bottle or package containing, or in the printed matter accompanying such preparation, compound or substance, at least a therapeutically active dose of each drug or medicinal ingredient entering into its composition as given or prescribed by the standard medical authorities in therapeutics as recognized by any of the legally authorized medical schools of the state".

and requests that said bill be reprinted, as amended, and re-committed to said committee.

Which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Rogers (No. 2771, Int. No. 1901), entitled "An act to amend the Election Law, in relation to filling of vacancies in elective offices," reported in favor of the passage of the same, with the following amendments:

On page 2, line 20, strike out the brackets and the word "fifteenth".

On page 2, line 21, strike out the brackets and the word "February".

On page 2, line 22, strike out the brackets and the word "the" and "after such first day of April".

On page 2, line 23, strike out the words "in the office of" and the brackets and the word "fifteenth".

On page 2, line 24, strike out the brackets and the word "February".

On page 2, line 25, beginning with the word "or" strike out all down to and including the word "be" on line 26.

On page 3, line 1, strike out semicolon after the word "year" and insert in place thereof a period.

On page 3, line 1, strike out "or unless the governor in his discretion shall deem such an election necessary or expedient".

and that the same be reprinted, as amended, and when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported.

Which report was agreed to, and said bill ordered reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported.

Mr. West, from the committee on printed and engrossed bills, reported the following bill as correctly printed or engrossed:

"An act to amend chapter four hundred and fourteen, entitled the Village Law, constituting chapter twenty-one of the general laws." (No. 2748, Int. No. 1888.)

Mr. Speaker announced the special order, being the bill (No. 2756) entitled "An act to amend the Executive Law, relative to the examination of departments of the State." (Int. No. 1678.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Shuttleworth
Apgar	Dowling	Haines	McCue	Sinclair
Baldwin	Draper	Hamilton	Merritt	Smith A E
Baumann	Dudley	Hammond	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harris	Mooney	Staley
Boshart	Eggleston	Hart	Moreland	Stern
Brady	Eichhorn	Hastings	Murphy C F	Stevenson
Brooks	Farrell	Hoey	Murphy G W	Surpless
Brough	Ferguson	Holmes	Nevins	Todd
Brown	Feth	Hooper	Newton	Volk
Buckley	Filley	Hubbs	Northrup	Waddell
Burhyte	Flanagan	Hurd	Norton	Wagner
Burns	Foley C F	Huth	O'Brian	Wainwright
Burzynski	Foley J A	Jackson	Oliver	Walters
Cavanaugh	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Ganly	Lansing	Phillips	Weimert
Collins	Garbe	Lee	Prentice	Wells
Colne	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Gray	Mance	Schulz	Wood
De Groot	Green	Marlatt	Sheridan	Young
Dobbs	Gunderman			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2753) entitled "An act to amend chapter one hundred and twenty of the Laws of eighteen hundred and eighty-six, entitled 'An act to revise the charter of the city of Lockport,' generally." (Int. No. 1376.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Averill	Dowling	Haines	Mead	Sinclair
Baldwin	Draper	Hamilton	Merritt	Smith A E
Baumann	Dudley	Hammond	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Boban	Eagleton	Harris	Mooney	Staley
Boshart	Eggleston	Hart	Moreland	Stern
Brady	Eichhorn	Hastings	Murphy C F	Stevenson
Brooks	Farrell	Hoey	Murphy G W	Surplless
Brough	Ferguson	Holmes	Nevins	Todd
Brown	Feth	Hooper	Newton	Volk
Buckley	Filley	Hubbs	Northrup	Waddell
Burhyte	Flanagan	Hurd	Norton	Wagner
Burns	Foley C F	Huth	O'Brian	Wainwright
Burzynski	Foley J A	Jackson	Oliver	Walters
Cavanaugh	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Ganly	Lansing	Phillips	Weimert
Collins	Garbe	Lee	Prentice	Wells
Colne	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Gray	Mance	Schulz	Wood
De Groot	Green	Marlatt	Sheridan	Young
Dobbs	Gunderman	Matthews		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and; as amended, have again passed the same and request the concurrence of the Senate thereto.

Mr. Speaker announced the special order, being the bill (No. 2774) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for trout in Livingston county." (Int. No. 1408.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Gunderman	Matthews	Shuttleworth
Apgar	Dowling	Hackett	McCue	Sinclair
Baldwin	Draper	Haines	Mead	Smith A E
Baumann	Dudley	Hamilton	Merritt	Smith C
Blue	Duell	Hammond	Miller	Smith Myron
Bohan	Eagleton	Harawitz	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Surpless
Brough	Ferguson	Hoe	Murphy G W	Todd
Brown	Feth	Holmes	Nevins	Volk
Buckley	Filley	Hooper	Northrup	Waddell
Burhyte	Flanagan	Hubbs	Norton	Wagner
Burns	Foley C F	Hurd	O'Brian	Wainwright
Burzynski	Foley J A	Huth	Oliver	Walters
Cavanaugh	Fowler	Jackson	Parker	Waters
Chamberlain	Francis	Jacobs	Patton	Weber
Cole	Ganly	Keller	Phillips	Weimert
Collins	Garbe	Lansing	Prentice	Wells
Colné	Geoghagan	Lee	Ralston	West
Conklin	Glore	Lewis	Reece	Whitley
Conrady	Gluck	Lowe	Rogers	Whitney F G
Croak	Glynn	Lupton	Schmidt	Whitney G H
Cunningham	Goldberg	Maher	Schoeneck	Winters
Cuvillier	Gray	Mallon	Schulz	Wood
De Groot	Green	Marlatt	Sheridan	Young
Dobbs				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the bill (No. 2776) entitled "An act to incorporate the Barryville and Shohola Suspension Bridge Company in Sullivan county." (Int. No. 1120.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Dowling	Haines	Mead	Sinclair
Baldwin	Draper	Hamilton	Merritt	Smith A E
Baumann	Dudley	Hammond	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harris	Mooney	Staley
Boshart	Eggleston	Hart	Moreland	Stern
Brady	Eichhorn	Hastings	Murphy C F	Stevenson
Brooks	Farrell	Hoey	Murphy G W	Surpluss
Brough	Ferguson	Holmes	Nevins	Todd
Brown	Feth	Hooper	Newton	Volk
Buckley	Filley	Hubbs	Northrup	Waddell
Burhyte	Flanagan	Hurd	Norton	Wagner
Burns	Foley C F	Huth	O'Brian	Wainwright
Burzynski	Foley J A	Jackson	Oliver	Walters
Cavanaugh	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Ganly	Lansing	Phillips	Weimert
Collins	Garbe	Lee	Prentice	Wells
Colné	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Gray	Mance	Schulz	Wood
De Groot	Green	Marlatt	Sheridan	Young
Dobbs	Gunderman	Matthews		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the bill (No. 2754) entitled "An act to provide for a department of public instruction in the city of Syracuse." (Int. No. 837.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133
NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Dowling	Haines	Mead	Sinclair
Baldwin	Draper	Hamilton	Merritt	Smith A E
Baumann	Dudley	Hammond	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harris	Mooney	Staley
Boshart	Eggleston	Hart	Moreland	Stern
Brady	Eichhorn	Hastings	Murphy C F	Stevenson
Brooks	Farrell	Hoey	Murphy G W	Surpless
Brough	Ferguson	Holmes	Nevins	Todd
Brown	Feth	Hooper	Newton	Volk
Buckley	Filley	Hubbs	Northrup	Waddell
Burhyte	Flanagan	Hurd	Norton	Wagner
Burns	Foley C F	Huth	O'Brian	Wainwright
Burzynski	Foley J A	Jackson	Oliver	Walters
Cavanaugh	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Ganly	Lansing	Phillips	Weimert
Collins	Garbe	Lee	Prentice	Wells
Colné	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Gray	Mance	Schulz	Wood
De Groot	Green	Marlatt	Sheridan	Young
Dobbs	Gunderman	Matthews		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the bill (No. 2775) entitled "An act to amend the Election Law, in relation to changing election districts in certain towns." (Int. No. 664.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Dowling	Haines	Mead	Sinclair
Baldwin	Draper	Hamilton	Merritt	Smith A E
Baumann	Dudley	Hammond	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harris	Mooney	Staley
Boshart	Eggleston	Hart	Moreland	Stern
Brady	Eichhorn	Hastings	Murphy C F	Stevenson
Brooks	Farrell	Hoey	Murphy G W	Surpless
Brough	Ferguson	Holmes	Nevins	Todd
Brown	Feth	Hooper	Newton	Volk
Buckley	Filley	Hubbs	Northrup	Waddell
Burhyte	Flanagan	Hurd	Norton	Wagner
Burns	Foley C F	Huth	O'Brian	Wainwright
Burzynski	Foley J A	Jackson	Oliver	Walters
Cavanaugh	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Ganly	Lansing	Phillips	Weimert
Collins	Garbe	Lee	Prentice	Wells
Colne	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Gray	Mance	Schulz	Wood
De Groot	Green	Marlatt	Sheridan	Young
Dobbs	Gunderman	Matthews		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the bill (No. 2752) entitled "An act creating a board of public works in the city of New Rochelle, prescribing its powers and duties, conferring upon such board the duties of the commissioners of sewers, abolishing the office of city engineer, and increasing the duties of superintendent of streets." (Int. No. 1365.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Dowling	Haines	Mead	Sinclair
Baldwin	Draper	Hamilton	Merritt	Smith A E
Baumann	Dudley	Hammond	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harris	Mooney	Staley
Boshart	Eggleston	Hart	Moreland	Stern
Brady	Eichhorn	Hastings	Murphy C F	Stevenson
Brooks	Farrell	Hoey	Murphy G W	Surpless
Brough	Ferguson	Holmes	Nevins	Todd
Brown	Feth	Hooper	Newton	Volk
Buckley	Filley	Hubbs	Northrup	Waddell
Burhyte	Flanagan	Hurd	Norton	Wagner
Burns	Foley C F	Huth	O'Brian	Wainwright
Burzynski	Foley J A	Jackson	Oliver	Walters
Cavanaugh	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Ganly	Lansing	Phillips	Weimert
Collins	Garbe	Lee	Prentice	Wells
Colné	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Gray	Mance	Schulz	Wood
De Groot	Green	Marlatt	Sheridan	Young
Dobbs	Gunderman	Matthews		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the bill (No. 2739) entitled "An act in relation to public printing in Clinton county" (Int. No. 1270). Said bill having been announced for a third reading,

On motion of Mr. Dominy, and by unanimous consent, said bill was made a special order on third reading for Wednesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 2773) entitled "An act in relation to the compensation of village officers of the village of Skaneateles." (Int. No. 1541.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Dowling	Haines	Mead	Sinclair
Baldwin	Draper	Hamilton	Merritt	Smith A E
Baumann	Dudley	Hammond	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harris	Mooney	Staley
Boshart	Eggleston	Hart	Moreland	Stern
Brady	Eichhorn	Hastings	Murphy C F	Stevenson
Brooks	Farrell	Hoe	Murphy G W	Surpluss
Brough	Ferguson	Holmes	Nevins	Todd
Brown	Feth	Hooper	Newton	Volk
Buckley	Filley	Hubbs	Northrup	Waddell
Burhyte	Flannagan	Hurd	Norton	Wagner
Burns	Foley C F	Huth	O'Brian	Wainwright
Burzynski	Foley J A	Jackson	Oliver	Walters
Cavanaugh	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Ganly	Lansing	Phillips	Weimert
Collins	Garbe	Lee	Prentice	Wells
Colné	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Gray	Mance	Schulz	Wood
De Groot	Green	Marlatt	Sheridan -	Young
Dobbs	Gunderman	Matthews		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the bill (No. 2751) entitled "An act to amend chapter one hundred and thirty-one of the Laws of nineteen hundred and seven, entitled 'An act to authorize the city of Utica to borrow money and issue bonds for the purpose of completing the changing of the channel of the Mohawk river between said city and the town of Deerfield, and to authorize the Superintendent of Public Works to accept said

new channel,' relative to the rate of interest to be paid on bonds." (Int. No. 1734.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Dowling	Haines	Mead	Sinclair
Baldwin	Draper	Hamilton	Merritt	Smith A E
Baumann	Dudley	Hammond	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harris	Mooney	Staley
Boshart	Eggleston	Hart	Moreland	Stern
Brady	Eichhorn	Hastings	Murphy C F	Stevenson
Brooks	Farrell	Hoey	Murphy G W	Surpless
Brough	Ferguson	Holmes	Nevins	Todd
Brown	Feth	Hooper	Newton	Volk
Buckley	Filley	Hubbs	Northrup	Waddell
Burhyte	Flanagan	Hurd	Norton	Wagner
Burns	Foley C F	Huth	O'Brian	Wainwright
Burzynski	Foley J A	Jackson	Oliver	Walters
Cavanaugh	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Ganly	Lansing	Phillips	Weimert
Collins	Garbe	Lee	Prentice	Wells
Colné	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Gray	Mance	Schulz	Wood
De Groot	Green	Marlatt	Sheridan	Young
Dobbs	Gunderman	Matthews		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the bill (No. 2760) entitled "An act to amend the Tax Law, in relation to ascertaining value of special franchises and equalization thereof,

powers of State Board of Tax Commissioners, review of assessments and collection of taxes." (Int. No. 1592.)

On motion of Mr. Phillips, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Shuttleworth
Apgar	Dowling	Haines	McCue	Sinclair
Baldwin	Draper	Hamilton	Mead	Smith A E
Baumann	Dudley	Hammond	Merritt	Smith C
Blue	Duell	Harawitz	Miller	Smith Myron
Bohan	Eagleton	Harris	Mills	Staley
Boshart	Eggleston	Hart	Mooney	Stern
Brady	Eichhorn	Hastings	Moreland	Stevenson
Brooks	Farrell	Hoey	Murphy C F	Surpless
Brough	Ferguson	Holmes	Murphy G W	Todd
Brown	Feth	Hooper	Nevins	Volk
Buckley	Filley	Hubbs	Northrup	Waddell
Burhyte	Flanagan	Hurd	Norton	Wagner
Burns	Foley C F	Huth	O'Brian	Wainwright
Burzynski	Foley J A	Jackson	Oliver	Walters
Cavanaugh	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Ganly	Lansing	Phillips	Weimert
Collins	Garbe	Lee	Prentice	Wells
Colné	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Gray	Mance	Schulz	Wood
De Groot	Green	Marlatt	Sheridan	Young
Dobbs	Gunderman			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2759) entitled "An act to amend chapter two hundred and sixty-six of the Laws of nineteen hundred and three, entitled 'An act to

provide for the holding of town meetings and elections in counties of the State having a certain population,' in relation to the time when town officers shall take office, compensation of certain committees and supervisors of such counties." (Int. No. 1854.)

On motion of Mr. Ferguson, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Dowling	Haines	Mead	Sinclair
Baldwin	Draper	Hamilton	Merritt	Smith A E
Baumann	Dudley	Hammond	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harris	Mooney	Staley
Boshart	Eggleston	Hart	Moreland	Stern
Brady	Eichhorn	Hastings	Murphy C F	Stevenson
Brooks	Farrell	Hoe	Murphy G W	Surpless
Brough	Ferguson	Holmes	Nevins	Todd
Brown	Feth	Hooper	Newton	Volk
Buckley	Filley	Hubbs	Northrup	Waddell
Burhyte	Flanagan	Hurd	Norton	Wagner
Burns	Foley C F	Huth	O'Brian	Wainwright
Burzynski	Foley J A	Jackson	Oliver	Walters
Cavanaugh	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Ganly	Lansing	Phillips	Weimert
Collins	Garbe	Lee	Prentice	Wells
Colné	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Gray	Mance	Schulz	Wood
De Groot	Green	Marlatt	Sheridan	Young
Dobbs	Gunderman	Matthews		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1035, Assembly reprint No. 2758) entitled "Concurrent

resolution of the Senate and Assembly proposing an amendment to section seven of article seven of the Constitution." (Rec. No. 300.) Said bill having been announced for a second reading,

On motion of Mr. Dominy, and by unanimous consent, said bill was made a special order on second and third reading for Wednesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 2755) entitled "An act to amend the Agricultural Law, in relation to the manufacture and sale of vinegar." (Int. No. 1841.)

On motion of Mr. Eggleston, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 2

Those who voted in the affirmative were:

Allen	Dobbs	Green	Mance	Sheridan
Apgar	Dominy	Gunderman	Marlatt	Shuttleworth
Baldwin	Dowling	Hackett	Matthews	Sinclair
Baumann	Draper	Haines	McCue	Smith C
Blue	Dudley	Hamilton	Mead	Smith Myron
Bohan	Duell	Hammond	Merritt	Staley
Boshart	Eagleton	Harawitz	Miller	Stern
Brady	Eggleston	Harris	Mills	Stevenson
Brooks	Eichhorn	Hart	Mooney	Surpluss
Brough	Farrell	Hastings	Moreland	Todd
Brown	Ferguson	Hoey	Murphy C F	Volk
Buckley	Feth	Holmes	Murphy G W	Waddell
Burhyte	Filley	Hooper	Nevins	Wagner
Burns	Flanagan	Hubbs	Norton	Wainwright
Burzynski	Foley C F	Hurd	O'Brian	Walters
Cavanaugh	Foley J A	Huth	Oliver	Waters
Chamberlain	Fowler	Jackson	Parker	Weber
Cole	Francis	Jacobs	Patton	Weimert
Collins	Ganly	Keller	Phillips	Wells
Colné	Garbe	Lansing	Prentice	West
Conklin	Geoghagan	Lee	Ralston	Whitley
Conrady	Glore	Lewis	Reece	Whitney F G

Croak	Gluck	Lowe	Rogers	Whitney G H
Cunningham	Glynn	Lupton	Schmidt	Winters
Cuvillier	Goldberg	Maher	Schoeneck	Wood
De Groot	Gray	Mallon	Schulz	Young

Those who voted in the negative were:

Northrup Smith A E

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2684) entitled "An act to amend the Greater New York charter, relating to engineers." (Int. No. 1860.)

On motion of Mr. Burns, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Shuttleworth
Apgar	Dowling	Haines	McCue	Sinclair
Baldwin	Draper	Hamilton	Mead	Smith A E
Baumann	Dudley	Hammond	Merritt	Smith C
Blue	Duell	Harawitz	Miller	Smith Myron
Bohan	Eagleton	Harris	Mills	Staley
Boshart	Eggleston	Hart	Mooney	Stern
Brady	Eichhorn	Hastings	Moreland	Stevenson
Brooks	Farrell	Hoey	Murphy C F	Surpless
Brough	Ferguson	Holmes	Murphy G W	Todd
Brown	Feth	Hooper	Nevins	Volk
Buckley	Filley	Hubbe	Northrup	Waddell
Burhyte	Flanagan	Hurd	Norton	Wagner
Burns	Foley C F	Huth	O'Brian	Wainwright
Burzynski	Foley J A	Jackson	Oliver	Walters
Cavanaugh	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Ganly	Lansing	Phillips	Weimert
Collins	Garbe	Lee	Prentice	Wells
Colné	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G

Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Gray	Mance	Schulz	Wood
De Groot	Green	Marlatt	Sheridan	Young
Dobbs	Gunderman			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1170) entitled "An act to amend section twelve of the Forest, Fish and Game Law, as amended by section two of chapter five hundred and eighty of the Laws of nineteen hundred and four." (Rec. No. 301.) Said bill having been announced for second reading, Mr. Wood moved to amend as follows:

On page 1, line 7, after the word "twelve" insert the words "except in the counties of Cattaraugus, Chautauqua, Otsego, Allegany, Livingston, Niagara, Franklin, Saratoga and Erie".

On page 2, line 2, after the word "twelve" insert the words, "except in the counties of Cattaraugus, Chautauqua, Otsego, Allegany, Livingston, Niagara, Franklin, Saratoga and Erie where the close season shall be from December first to September fifteenth, both inclusive."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to special order of second and third reading.

Mr. Speaker announced the special order, being the Senate bill (No. 1254) entitled "An act to amend section four hundred and one of the Penal Code, relative to certain offenses connected with the dispensing and sale of drugs and medicines." (Rec. No. 278.) Said bill having been announced for second reading, Mr. Francis moved to amend as follows:

Page 2, line 2, strike out bracket before the letter "s" and insert bracket before the word "or" same line where it occurs for the second time.

Page 2, line 3, strike out bracket at the end of line 3 and insert bracket after the word "or" on line 4 where it occurs for the first time.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That the said bill be reprinted and restored to special order of second and third reading.

Mr. Speaker announced the special order, being the Senate bill (No. 1198) entitled "An act to amend section three hundred and eighty-two of the Code of Civil Procedure, relative to the statute of limitations." (Rec. No. 262.)

On motion of Mr. Prentice, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 1

Those who voted in the affirmative were:-

Allen	Dominy	Gunderman	Marlatt	Shuttleworth
Apgar	Dowling	Hackett	Matthews	Sinclair
Baldwin	Draper	Haines	McCue	Smith A E
Baumann	Dudley	Hamilton	Mead	Smith C
Blue	Duell	Hammond	Merritt	Smith Myron
Bohan	Eagleton	Harawitz	Miller	Staley
Boshart	Eggleston	Harris	Mills	Stern
Brady	Eichhorn	Hart	Mooney	Stevenson
Brooks	Farrell	Hastings	Moreland	Surpless
Brough	Ferguson	Hoey	Murphy C F	Todd
Brown	Feth	Holmes	Murphy G W	Volk
Buckley	Filley	Hooper	Nevins	Waddell
Burhyte	Flanagan	Hubbs	Northrup	Wagner
Burns	Foley C F	Hurd	Norton	Wainwright
Burzynski	Foley J A	Huth	O'Brian	Walters
Cavanaugh	Fowler	Jackson	Oliver	Waters
Chamberlain	Francis	Jacobs	Parker	Weber
Cole	Ganly	Keller	Patton	Weimert
Collins	Garbe	Lansing	Phillips	Wells
Colné	Geoghagan	Lee	Prentice	West
Conklin	Glore	Lewis	Ralston	Whitley
Conrady	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schulz	Wood
De Groot	Green	Mance	Sheridan	Young
Dobbs				

In the negative:

Schoeneck

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1377) entitled "An act to prescribe regulations for the review of apportionments by the Legislature or other bodies." (Rec. No. 352.)

On motion of Mr. Wood, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 1

Those who voted in the affirmative were:

Allen	Dowling	Hackett	Matthews	Shuttleworth
Apgar	Draper	Haines	McCue	Sinclair
Baldwin	Dudley	Hamilton	Mead	Smith A E
Baumann	Duell	Hammond	Merritt	Smith C
Blue	Eagleton	Harawitz	Miller	Smith Myron
Bohan	Eggleston	Harris	Mills	Staley
Boshart	Eichhorn	Hart	Mooney	Stern
Brady	Farrell	Hastings	Moreland	Stevenson
Brooks	Ferguson	Hoey	Murphy C F	Surpless
Brough	Feth	Holmes	Murphy G W	Todd
Brown	Filley	Hooper	Nevins	Volk
Buckley	Flanagan	Hubbs	Northrup	Waddell
Burhyte	Foley C F	Hurd	Norton	Wagner
Burns	Foley J A	Huth	O'Brian	Wainwright
Burzynski	Fowler	Jackson	Oliver	Walters
Cavanaugh	Francis	Jacobs	Parker	Waters
Chamberlain	Ganly	Keller	Patton	Weber
Cole	Garbe	Lansing	Phillips	Weimert
Collins	Geoghagan	Lee	Prentice	Wells
Colne	Glore	Lewis	Ralston	West
Conklin	Gluck	Lowe	Reece	Whitley
Conrady	Glynn	Lupton	Rogers	Whitney F G
Croak	Goldberg	Maher	Schmidt	Whitney G H
Cunningham	Gray	Mallon	Schoeneck	Winters
De Groot	Green	Mance	Schulz	Wood
Dobbs	Gunderman	Marlatt	Sheridan	Young
Dominy				

In the negative:

Cuvillier

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1548) entitled "An act in relation to the filing by the supervisors of Columbia county of itemized statements of accounts heretofore audited and paid to them." (Rec. No. 388.)

On motion of Mr. Sinclair, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 90

NOES 45

Those who voted in the affirmative were:

Allen	Draper	Hart	Morgan	Smith Myron
Apgar	Dudley	Hastings	Murphy C F	Staley
Averill	Duell	Hooper	Murphy G W	Sturless
Blue	Eggleston	Hubbs	Nevins	Volk
Boshart	Eichhorn	Hurd	Norton	Voss
Brady	Ferguson	Lansing	O'Brian	Wainwright
Brough	Filley	Lee	Parker	Waters
Brown	Fowler	Lewis	Patton	Weber
Burhyte	Francis	Lowe	Phillips	Weimert
Chamberlain	Frisbie	Lupton	Prentice	Wells
Cole	Gray	Maher	Ralston	West
Colne	Green	Mance	Reece	Whitley
Conklin	Gunderman	Marlatt	Robinson	Whitney F G
Conrady	Haines	Matthews	Rogers	Whitney G H
Cunningham	Hamilton	Merritt	Schoeneck	Winters
De Groot	Hammond	Miller	Shuttleworth	Wood
Dominy	Hamn	Mills	Sinclair	Yale
Dowling	Harris	Moreland	Smith C	Young

Those who voted in the negative were:

Baumann	Donnelly	Geoghagan	Jackson	Schmidt
Bohan	Eagleton	Gluck	Keller	Schulz
Buckley	Farrell	Glynn	Loos	Schwegler
Burns	Fay	Goldberg	Mallon	Sheridan
Burzynski	Flanagan	Hackett	McCue	Smith A E
Cavanaugh	Foley C F	Harawitz	Mooney	Stern
Croak	Foley J A	Hoe	Northrup	Todd
Cuvillier	Ganly	Holmes	Oliver	Wagner
Dobbs	Garbe	Huth	Prince	Walters

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 2748) entitled "An act to amend chapter four hundred and fourteen, entitled the Village Law, constituting chapter twenty-one of the general laws." (Int. No. 1888.)

On motion of Mr. Hamn, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Gunderman	Marlatt	Sheridan
Apgar	Dowling	Hackett	Matthews	Shuttleworth
Baldwin	Draper	Haines	McCue	Sinclair
Baumann	Dudley	Hamilton	Mead	Smith A E
Blue	Duell	Hammond	Merritt	Smith C
Bohan	Eagleton	Harawitz	Miller	Smith Myron
Boshart	Eggleston	Harris	Mills	Stern
Brady	Eichhorn	Hart	Mooney	Stevenson
Brooks	Farrell	Hastings	Moreland	Surpless
Brough	Ferguson	Hoey	Murphy C F	Todd
Brown	Feth	Holmes	Murphy G W	Volk
Buckley	Filley	Hooper	Nevins	Waddell
Burhyte	Flanagan	Hubbs	Northrup	Wagner
Burns	Foley C F	Hurd	Norton	Wainwright
Burzynski	Foley J A	Huth	O'Brian	Walters
Cavanaugh	Fowler	Jackson	Oliver	Waters
Chamberlain	Francis	Jacobs	Parker	Weber
Cole	Ganly	Keller	Patton	Weimert
Collins	Garbe	Lansing	Phillips	Wells
Colné	Geoghagan	Lee	Prentice	West
Conklin	Glore	Lewis	Ralston	Whitley
Conrady	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Young
Dobbs				

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1174) entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' in relation to the jurisdiction of such court." (Int. No. 1015.)

On motion of Mr. Dobbs, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 5

Those who voted in the affirmative were:

Allen	Dominy	Haines	McCue	Sheridan
Apgar	Dowling	Hamilton	Mead	Shuttleworth
Baldwin	Draper	Hammond	Merritt	Sinclair
Baumann	Dudley	Harawitz	Miller	Smith A E
Blue	Duell	Harris	Mills	Smith C
Bohan	Eagleton	Hart	Mooney	Smith Myron
Boshart	Eggleston	Hastings	Moreland	Stevenson
Brady	Eichhorn	Hoey	Morgan	Surpless
Brooks	Farrell	Holmes	Murphy C F	Todd
Brough	Ferguson	Hooper	Murphy G W	Volk
Brown	Feth	Hubbs	Nevins	Waddell
Buckley	Filley	Hurd	Newton	Wagner
Burhyte	Flanagan	Huth	Northrup	Wainwright
Burns	Foley J A	Jackson	Norton	Walters
Burzynski	Fowler	Jacobs	O'Brian	Waters
Cavanaugh	Francis	Keller	Oliver	Weber
Chamberlain	Ganly	Lansing	Parker	Weimert
Cole	Garbe	Lee	Patton	Wells
Collins	Geoghagan	Lewis	Phillips	West
Colné	Glore	Lowe	Ralston	Whitley
Conrady	Gluck	Lupton	Reece	Whitney F G
Croak	Glynn	Maher	Rogers	Whitney G H
Cunningham	Gray	Mallon	Schmidt	Winters
Cuvillier	Green	Mance	Schoeneck	Wood
De Groot	Gunderman	Marlatt	Schulz	Young
Dobbs	Hackett	Matthews		

Those who voted in the negative were:

Foley C F	Goldberg	Prentice	Prince	Stern
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Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2766) entitled "An act to amend chapter three hundred and ninety-six of the Laws of eighteen hundred and eighty-five, entitled 'An act to revise the charter of the city of Dunkirk,' in relation to construction of sewers, interest on deferred payments and bonds for such improvements." (Int. No. 1896.)

On motion of Mr. Hamilton, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Gunderman	Marlatt	Schulz
Apgar	Dowling	Hackett	Matthews	Sheridan
Baldwin	Draper	Haines	McCue	Shuttleworth
Baumann	Dudley	Hamilton	Mead	Sinclair
Blue	Duell	Hammond	Merritt	Smith A E
Bohan	Eagleton	Harawitz	Miller	Smith C
Boshart	Eggleston	Harris	Mills	Smith Myron
Brady	Eichhorn	Hart	Mooney	Stevenson
Brooks	Farrell	Hastings	Moreland	Surpless
Brough	Ferguson	Hoey	Murphy C F	Todd
Brown	Feth	Holmes	Murphy G W	Volk
Buckley	Filley	Hooper	Nevins	Waddell
Burhyte	Flanagan	Hubbs	Newton	Wagner
Burns	Foley C F	Hurd	Northrup	Wainwright
Burzynski	Foley J A	Huth	Norton	Walters
Cavanaugh	Fowler	Jackson	O'Brian	Waters
Chamberlain	Francis	Jacobs	Oliver	Weber
Cole	Ganly	Keller	Parker	Weimert
Collins	Garbe	Lansing	Patton	Wells
Colné	Geoghagan	Lee	Phillips	West
Conklin	Glore	Lewis	Prentice	Whitley
Conrad	Gluck	Lowe	Ralston	Whitney F G
Croak	Glynn	Lupton	Reece	Whitney G H
Cunningham	Goldberg	Maher	Rogers	Winters
Cuvillier	Gray	Mallon	Schmidt	Wood
De Groot	Green	Mance	Schoeneck	Young
Dobbs				

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2735) entitled "An act conferring jurisdiction upon the Court of Claims to rehear and determine the claim of Michael C. Murphy against the State, and to make an award therefor." (Int. No. 1877.)

On motion of Mr. Moreland, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Shuttleworth
Apgar	Dowling	Haines	McCue	Sinclair
Baldwin	Draper	Hamilton	Mead	Smith A E
Baumann	Dudley	Hammond	Merritt	Smith C
Blue	Duell	Harawitz	Miller	Smith Myron
Bohan	Eagleton	Harris	Mills	Staley
Boshart	Eggleston	Hart	Mooney	Stern
Brady	Eichhorn	Hastings	Moreland	Stevenson
Brooks	Farrell	Hoey	Murphy C F	Surpless
Brough	Ferguson	Holmes	Murphy G W	Todd
Brown	Feth	Hooper	Nevins	Volk
Buckley	Filley	Hubbs	Northrup	Waddell
Burhyte	Flanagan	Hurd	Norton	Wagner
Burns	Foley C F	Huth	O'Brian	Wainwright
Burzynski	Foley J A	Jackson	Oliver	Walters
Cavanaugh	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Ganly	Lansing	Phillips	Weimert
Collins	Garbe	Lee	Prentice	Wells
Colne	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Gray	Mance	Schulz	Wood
De Groot	Green	Marlatt	Sheridan	Young
Dobbs	Gunderman			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2107) entitled "An act relating to right of persons to go upon unimproved lands." (Int. No. 1582.) Said bill having been announced for second reading, Mr. Merritt moved to amend as follows:

Page 1, line 5, strike out word "improved" and insert in place thereof word "unimproved".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to special order of second and third reading.

Mr. Speaker announced the special order, being the bill (No. 2747) entitled "An act to amend chapter two hundred and twenty-five of the Laws of nineteen hundred and one, entitled 'An act to incorporate the city of Oneida,' in relation to bonds for local improvements." (Int. No. 1887.)

On motion of Mr. Burhyte, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Dobbs	Green	Marlatt	Sheridan
Apgar	Dominy	Gunderman	Matthews	Shuttleworth
Baldwin	Dowling	Hackett	McCue	Sinclair
Baumann	Draper	Haines	Mead	Smith A E
Blue	Dudley	Hamilton	Merritt	Smith C
Bohan	Duell	Hammond	Miller	Smith Myron
Boshart	Eagleton	Harawitz	Mills	Staley
Brady	Eggleston	Harris	Mooney	Stern
Brooks	Eichhorn	Hart	Moreland	Stevenson
Brough	Farrell	Hastings	Murphy C F	Surpless
Brown	Ferguson	Hoey	Murphy G W	Todd
Buckley	Feth	Holmes	Nevins	Volk
Burhyte	Filley	Hooper	Northrup	Waddell
Burns	Flanagan	Hubbs	Norton	Wagner

Burzynski	Foley C F	Hurd	O'Brian	Wainwright
Cavanaugh	Foley J A	Huth	Oliver	Walters
Chamberlain	Fowler	Jackson	Parker	Waters
Cole	Francis	Jacobs	Patton	Weber
Collins	Ganly	Keller	Phillips	Weimert
Colne	Garbe	Lansing	Prentice	Wells
Conklin	Geoghagan	Lee	Ralston	West
Conrady	Glore	Lewis	Reece	Whitney F G
Croak	Gluck	Lowe	Rogers	Whitney G H
Cunningham	Glynn	Lupton	Schmidt	Winters
Cuvillier	Goldberg	Maher	Schoeneck	Wood
De Groot	Gray	Mallon	Schulz	Young

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2741) entitled "An act to authorize any Protestant Episcopal church in the diocese of New York to convey all its property, subject to the payment of its debts, to any other Protestant Episcopal church in said diocese." (Int. No. 1881.)

On motion of Mr. Brough, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Dobbs	Green	Marlatt	Shuttleworth
Apgar	Dominy	Gunderman	Matthews	Sinclair
Baldwin	Dowling	Hackett	McCue	Smith A E
Baumann	Draper	Haines	Merritt	Smith C
Blue	Dudley	Hamilton	Miller	Smith Myron
Bohan	Duell	Hammond	Mills	Staley
Boshart	Eagleton	Harawitz	Mooney	Stern
Brady	Eggleston	Harris	Moreland	Stevenson
Brooks	Eichhorn	Hart	Murphy C F	Surpluss
Brough	Farrell	Hastings	Murphy G W	Todd
Brown	Ferguson	Hoey	Nevins	Volk
Buckley	Feth	Holmes	Northrup	Waddell
Burhyte	Filley	Hooper	Norton	Wagner
Burns	Flanagan	Hubbs	O'Brian	Wainwright
Burzynski	Foley C F	Hurd	Oliver	Walters
Cavanaugh	Foley J A	Huth	Parker	Waters
Chamberlain	Fowler	Jackson	Patton	Weber

Cole	Francis	Jacobs	Phillips	Weimert
Collins	Ganly	Keller	Prentice	Wells
Colné	Garbe	Lansing	Ralston	West
Conklin	Geoghagan	Lee	Reece	Whitley
Conrady	Glore	Lewis	Rogers	Whitney F G
Croak	Gluck	Lowe	Schmidt	Whitney G H
Cunningham	Glynn	Lupton	Schoeneck	Winters
Cuvillier	Goldberg	Maher	Schulz	Wood
De Groot	Gray	Mallon	Sheridan	Young

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2742) entitled "An act to authorize the Church of the Intercession to dispose of its property and become dissolved." (Int. No. 1882.)

On motion of Mr. Brough, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Gunderman	Matthews	Shuttleworth
Apgar	Dowling	Hackett	McCue	Sinclair
Baldwin	Draper	Haines	Mead	Smith A E
Baumann	Dudley	Hamilton	Merritt	Smith C
Blue	Duell	Hammond	Miller	Smith Myron
Bohan	Eagleton	Harawitz	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Surpluss
Brough	Ferguson	Hoey	Murphy G W	Todd
Brown	Feth	Holmes	Nevins	Volk
Buckley	Filley	Hooper	Northrup	Waddell
Burhyte	Flanagan	Hubbs	Norton	Wagner
Burns	Foley C F	Hurd	O'Brian	Wainwright
Burzynski	Foley J A	Huth	Oliver	Walters
Cavanaugh	Fowler	Jackson	Parker	Waters
Chamberlain	Francis	Jacobs	Patton	Weber
Cole	Ganly	Keller	Phillips	Weimert
Collins	Garbe	Lansing	Prentice	Wells
Colné	Geoghagan	Lee	Ralston	West
Conklin	Glore	Lewis	Reece	Whitley
Conrady	Gluck	Lowe	Rogers	Whitney F G

Croak	Glynn	Lupton	Schmidt	Whitney G H
Cunningham	Goldberg	Maher	Schoeneck	Winters
Cuvillier	Gray	Mallon	Schulz	Wood
De Groot	Green	Marlatt	Sheridan	Young
Dobbs				

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2750) entitled "An act to amend the Greater New York charter, in relation to qualifications of firemen." (Int. No. 1890.)

On motion of Mr. Dobbs, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Dowling	Haines	Mead	Sinclair
Baldwin	Draper	Hamilton	Merritt	Smith A E
Baumann	Dudley	Hammond	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harris	Mooney	Staley
Boshart	Eggleston	Hart	Moreland	Stern
Brady	Eichhorn	Hastings	Murphy C F	Stevenson
Brooks	Farrell	Hoe	Murphy G W	Surpless
Brough	Ferguson	Holmes	Nevins	Todd
Brown	Feth	Hooper	Newton	Volk
Buckley	Filley	Hubbs	Northrup	Waddell
Burhyte	Flanagan	Hurd	Norton	Wagner
Burns	Foley C F	Huth	O'Brian	Wainwright
Burzynski	Foley J A	Jackson	Oliver	Walters
Cavanaugh	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Garly	Lansing	Phillips	Weimert
Collins	Garbe	Lee	Prentice	Wells
Colné	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Lowe	Reece	Whitley
Conrad	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Gray	Marlatt	Schulz	Wood
De Groot	Green	Matthews	Sheridan	Young
Dobbs	Gunderman			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2728) entitled "An act to legalize the proceedings of certain meetings of the voters of school district number twelve, towns of Rotterdam and Niskayuna, Schenectady county, New York, and of the trustee of said district in the issuance and sale of bonds to the amount of eighteen thousand dollars." (Int. No. 1875.)

On motion of Mr. Frisbie, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Dowling	Haines	Mead	Sinclair
Baldwin	Draper	Hamilton	Merritt	Smith A E
Baumann	Dudley	Hammond	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harris	Mooney	Staley
Boshart	Eggleston	Hart	Moreland	Stern
Brady	Eichhorn	Hastings	Murphy C F	Stevenson
Brooks	Farrell	Hoey	Murphy G W	Surpless
Brough	Ferguson	Holmes	Nevins	Todd
Brown	Feth	Hooper	Newton	Volk
Buckley	Filley	Hubbs	Northrup	Waddell
Burhyte	Flanagan	Hurd	Norton	Wagner
Burns	Foley C F	Huth	O'Brian	Wainwright
Burzynski	Foley J A	Jackson	Oliver	Walters
Cavanaugh	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Ganly	Lansing	Phillips	Weimert
Collins	Garbe	Lee	Prentice	Wells
Colné	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Gray	Marlatt	Schulz	Wood
De Groot	Green	Matthews	Sheridan	Young
Dobbs	Gunderman			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2749) entitled "An act to authorize and empower the commissioners of the sinking fund of the city of New York to refund to the Saint Paul's German Evangelical Reformed Church or the trustees thereof, moneys paid as assessment for public improvements upon certain real property belonging to said church in the borough of the Bronx, New York city." (Int. No. 1889.)

On motion of Mr. Schmidt, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Dowling	Haines	Mead	Sinclair
Baldwin	Draper	Hamilton	Merritt	Smith A E
Baumann	Dudley	Hammond	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harris	Mooney	Staley
Boshart	Eggleston	Hart	Moreland	Stern
Brady	Eichhorn	Hastings	Murphy C F	Stevenson
Brooks	Farrell	Hoey	Murphy G W	Surpless
Brough	Ferguson	Holmes	Nevins	Todd
Brown	Feth	Hooper	Newton	Volk
Buckley	Filley	Hubbs	Northrup	Waddell
Burhyte	Flanagan	Hurd	Norton	Wagner
Burns	Foley C F	Huth	O'Brian	Wainwright
Bürzynski	Foley J A	Jackson	Oliver	Walters
Cavanaugh	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Ganly	Lansing	Phillips	Weimert
Collins	Garbe	Lee	Prentice	Wells
Colné	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Gray	Marlatt	Schulz	Wood
De Groot	Green	Matthews	Sheridan	Young
Dobbs	Gunderman			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2295) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section seven of article six of the Constitution in relation to judges of the Court of Appeals and justices of the Supreme Court." (Int. No. 1670.) Said bill having been announced for a second reading,

On motion of Mr. G. H. Whitney, and by unanimous consent, said bill was made a special order on second and third reading for Wednesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the Senate bill (No. 1599) entitled "An act to amend chapter three of title five of part one of the Code of Criminal Procedure of the State of New York, entitled 'The Court of General Sessions in the city and county of New York.'" (Rec. No. 401.)

On motion of Mr. Prentice, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Dowling	Haines	Mead	Sinclair
Baldwin	Draper	Hamilton	Merritt	Smith A E
Baumann	Dudley	Hammond	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harris	Mooney	Staley
Boshart	Eggleston	Hart	Moreland	Stern
Brady	Eichhorn	Hastings	Murphy C F	Stevenson
Brooks	Farrell	Hoe	Murphy G W	Surpless
Brough	Ferguson	Holmes	Nevins	Todd
Brown	Feth	Hooper	Newton	Volk
Buckley	Filley	Hubbs	Northrup	Waddell
Burhyte	Flanagan	Hurd	Norton	Wagner
Burns	Foley C F	Huth	O'Brian	Wainwright
Burzynski	Foley J A	Jackson	Oliver	Walters
Cavanaugh	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Ganly	Lansing	Phillips	Weimert

Collins	Garbe	Lee	Prentice	Wells
Colné	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Gray	Marlatt	Schulz	Wood
De Groot	Green	Matthews	Sheridan	Young
Dobbs	Gunderman			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1600) entitled "An act to amend chapter two of title four of the Code of Criminal Procedure of the State of New York, entitled 'Formation of the grandjury, its powers and duties.'" (Rec. No. 402.)

On motion of Mr. Prentice, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Shuttleworth
Apgar	Dowling	Haines	McCue	Sinclair
Baldwin	Draper	Hamilton	Mead	Smith A E
Baumann	Dudley	Hammond	Merritt	Smith C
Blue	Duell	Harawitz	Miller	Smith Myron
Bohan	Eagleton	Harris	Mills	Staley
Boshart	Eggleston	Hart	Mooney	Stern
Brady	Eichhorn	Hastings	Moreland	Stevenson
Brooks	Farrell	Hoey	Murphy C F	Surpluss
Brough	Ferguson	Holmes	Murphy G W	Todd
Brown	Feth	Hooper	Nevins	Volk
Buckley	Filley	Hubbs	Northrup	Waddell
Burhyte	Flanagan	Hurd	Norton	Wagner
Burns	Foley C F	Huth	O'Brien	Wainwright
Burzynski	Foley J A	Jackson	Oliver	Walters
Cavanaugh	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Ganly	Lansing	Phillips	Weimert

Collins	Garbe	Lee	Prentice	Wells
Colné	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Gray	Mance	Schulz	Wood
De Groot	Green	Marlatt	Sheridan	Young
Dobbs	Gunderman			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

A message was received from the Senate, in words following:

IN SENATE, *May 20, 1907.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 1137, reprint No. 1678, Rec. No. 276) entitled "An act to incorporate the Long Sault Development Company, and to authorize said company to construct and maintain dams, canals, power-houses and locks at or near Long Sault Island, for the purpose of improving the navigation of the Saint Lawrence river and developing power from the waters thereof and to construct and maintain a bridge, and carry on the manufacture of commodities."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. O'Neil, and by unanimous consent, the same was amended as follows:

Page 3, line 26, after the "," following the word "line" insert: "at or near Long Sault island or Barnharts island".

Page 4, line 10, after the word "authorized" strike out "and to flood back the waters of said river to any extent required for the operation and use of said works and power-houses and the development of electrical power and energy therefrom; subject, however, to the liability to make just compensation to all persons injured thereby."

Page 4, line 21, after the word "shall" insert "make just compensation to all persons injured by the exercise of the rights and privileges heretofore granted, and that said corporation shall also".

Page 5, line 8, strike out "The commissioners of the land office shall, upon application of said corporation, grant unto it the title and interest of the people of the state in and to lands under the waters of the Saint Lawrence river to be covered or occupied by said works, or locks, or power-houses, upon payment of reasonable compensation therefor;" and insert in place thereof the following:

“§ 4. After the congress of the United States shall authorize the construction of dams, locks and canals hereby authorized and after the payment by said corporation into the treasury of the state of the fixed sum of ten thousand dollars (\$10,000) the commissioners of the land office shall, upon application of said corporation, grant unto it the title and interest of the people of the state in and to lands under the waters of the Saint Lawrence river to be covered or occupied by said works and locks and power-houses, provided, however, that any of the lands of the state which may be so conveyed to said corporation shall be forfeited and title thereto shall revert to the state unless the same are actually used by said corporation and covered by its dams, canals, reservoirs, gates, sluices, trunks, pipes, bulkheads, piers, flumes, abutments or other works appertaining thereto, or are necessary to the enjoyment for said purposes of any lands so used or covered, within fifteen years from the conveyance thereof by the commissioners of the land office to said corporation under authority of this act, and in consideration of the conveyance so made under the authority of this act, as well as for the rights and privileges hereby granted, the said corporation in addition to the payment aforesaid shall pay into the treasury of the state for the year nineteen hundred and ten the fixed sum of fifteen thousand dollars (\$15,000), and for the year nineteen hundred and eleven the fixed sum of twenty thousand dollars (\$20,000). For each year after nineteen hundred and eleven the said corporation shall pay at the following rates upon the average amount of electrical horse-power generated during such year under the authority of this act, that is to say:

“Upon all amounts up to twenty-five thousand electrical horse-power, at the rate of seventy-five cents per horse-power.

“Upon all amounts in excess of twenty-five thousand electrical horse-power and up to one hundred thousand electrical horse-power, at the rate of fifty cents per horse-power.

“Upon all amounts in excess of one hundred thousand horse-power, at the rate of twenty-five cents per horse-power.

“In case said corporation shall generate or develop water power as mechanical power, without transmuting the same into electrical power, then for so much of said water power as shall be so generated or developed, payment shall be made at the above mentioned rates per mechanical horse-power.

“In determining the average amount of electrical horse-power generated and the average amount of mechanical horse-power generated or developed in any year, for the purpose of determining the amount to be paid to the state, no day nor hour during which the works of said company are not in substantial operation

shall be included in the total time for which such average is to be determined as the average for the year.

“ In case the amount which would be payable at the rates aforesaid for either of the years nineteen hundred and ten or nineteen hundred and eleven, upon the average amount of power generated during such year shall exceed the fixed sum hereinbefore required to be paid for such year, the said corporation shall also pay the amount of any such excess; and if for any year after nineteen hundred and eleven the amount payable at rates aforesaid is less than twenty-five thousand dollars (\$25,000), then said corporation shall pay for such year the sum of twenty-five thousand dollars (\$25,000) instead of the amount that would be payable at the rates aforesaid.

“ Said amounts for each year shall be payable on or before the first day of February in the following year, and within ten days before the same shall become payable the said corporation shall deliver to the state engineer and to the state treasurer a verified statement showing the average amount of electrical horse-power generated, and the average amount of mechanical horse-power generated and not transmuted into electrical horse-power, by said corporation under the authority hereby granted, during the year ending on the thirty-first day of December next preceding the date of making such statement.

“ The books or other records of said corporation, showing the amount of power so generated, and its works and plant shall at all times be open to inspection and examination by the state engineer for the purpose of verifying or disputing the correctness of any such statement.

“ The state engineer may prescribe the form of records to be kept by said corporation, and the character of measuring instruments and devices to be used and a reasonable standard of the accuracy thereof and the methods by which said accuracy is to be determined. Said corporation shall keep such records and shall provide and use such instruments and devices and have the same tested accordingly.

“ If any dispute shall arise in respect to the amount payable for any year at the rates aforesaid the court of claims shall have jurisdiction to hear and determine the same.

“ In case the said corporation shall fail to pay any amount due hereunder within sixty days after the same is payable as herein provided, in addition to any other remedies which may exist by law, the rights and privileges hereby granted may be forfeited.

“ The payments above specified are based upon the assumption that the said corporation under the authority of this act, subject only to the lawful control of the United States government,

may use for the purposes herein specified, at the places herein mentioned, all of the waters of the Saint Lawrence river south of the international boundary line, but in case said corporation shall at any time be compelled to make any payment to the Dominion of Canada or the Province of Ontario for the use by said corporation of any portion of said water to generate power as authorized by this act, said corporation shall be entitled to an equitable readjustment of the rate of compensation to be paid to the state for that portion of the said water for the use of which said corporation shall be compelled to make payment to said dominion or province. Such readjustment shall be made by arbitrators, one of whom shall be appointed by the said corporation and one by the governor of the state within thirty days after the receipt by him of written notice of such appointment by said corporation, and in case of their failure to agree the two said arbitrators shall choose an umpire. The decision of the arbitrators, or of the umpire, shall be made in writing, in duplicate, one copy shall be filed with the state treasurer and one delivered to the said corporation, such decision shall be final and binding on both parties, and from and after a date to be fixed therein, payments shall be made in accordance therewith, and pending such decision payments shall be made for each year at the rates aforesaid."

Page 5, line 13, change "4" to "5".

Page 5, line 21, change "5" to "6".

Page 5, line 22, change "6" to "7".

Page 6, line 6, change "7" to "8".

Page 6, after line 16, insert:

"§ 9. The said corporation shall begin the work of constructing its dam pursuant hereto within one year after the congress of the United States shall authorize the construction of dams, locks and canals hereby authorized, and in case such construction shall not be so begun the grants, rights and privileges hereby granted may be forfeited."

Page 6, line 17, change "8" to "10".

Page 6, line 20, change "9" to "11".

Said bill, as amended, was reprinted, re-engrossed, and, having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

LAFAYETTE B. GLEASON,
Clerk.

Said bill having been announced, Mr. Merritt moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

Allen	Dobbs	Gunderman	Marlatt	Shuttleworth
Apgar	Dominy	Hackett	Matthews	Sinclair
Baldwin	Dowling	Haines	McCue	Smith A E
Baumann	Draper	Hamilton	Merritt	Smith C
Blue	Dudley	Hammond	Miller	Staley
Bohan	Duell	Harawitz	Mills	Stern
Boshart	Eagleton	Harris	Mooney	Stevenson
Brady	Eggleston	Hart	Moreland	Surplless
Brooks	Eichhorn	Hastings	Murphy C F	Todd
Brough	Farrell	Hoey	Murphy G W	Volk
Brown	Ferguson	Holmes	Nevins	Waddell
Buckley	Feth	Hooper	Northrup	Wagner
Burhyte	Filley	Hubbs	Norton	Wainwright
Burns	Flanagan	Hurd	O'Brian	Walters
Burzynski	Foley J A	Huth	Oliver	Waters
Cavanaugh	Fowler	Jackson	Parker	Weber
Chamberlain	Francis	Jacobs	Patton	Weimert
Cole	Garbe	Keller	Phillips	Wells
Collins	Geoghagan	Lansing	Prentice	West
Colne	Glore	Lee	Ralston	Whitley
Conklin	Gluck	Lewis	Reece	Whitney F G
Conrady	Glynn	Lowe	Rogers	Whitney G H
Croak	Goldberg	Lupton	Schmidt	Winters
Cunningham	Gray	Maher	Schulz	Wood
Cuvillier	Green	Mallon	Sheridan	Young
De Groot				

Said bill, as amended, was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 2

Those who voted in the affirmative were:

Allen	Dobbs	Hackett	McCue	Sinclair
Apgar	Dominy	Haines	Mead	Smith A E
Baldwin	Dowling	Hamilton	Merritt	Smith C
Baumann	Draper	Hammond	Miller	Smith Myron

Bohan	Dudley	Harawitz	Mills	Staley
Boshart	Duell	Harris	Mooney	Stern
Brady	Eagleton	Hart	Moreland	Stevenson
Brooks	Eggleston	Hastings	Murphy C F	Surpless
Brough	Eichhorn	Hoey	Murphy G W	Todd
Brown	Farrell	Holmes	Nevins	Volk
Buckley	Ferguson	Hooper	Northrup	Waddell
Burhyte	Feth	Hubbs	Norton	Wagner
Burns	Filley	Hurd	O'Brian	Wainwright
Burzynski	Flanagan	Huth	Oliver	Walters
Cavanaugh	Foley J A	Jackson	Parker	Waters
Chamberlain	Fowler	Jacobs	Patton	Weber
Cole	Francis	Keller	Phillips	Weimert
Collins	Garbe	Lansing	Prentice	Wells
Colné	Geoghagan	Lee	Ralston	West
Conklin	Glore	Lewis	Reece	Whitley
Conrad	Gluck	Lowe	Rogers	Whitney F G
Croak	Glynn	Lupton	Schmidt	Whitney G H
Cunningham	Goldberg	Maher	Schoeneck	Winters
Cuvillier	Gray	Mallon	Schulz	Wood
De Groot	Green	Marlatt	Sheridan	Young
	Gunderman	Matthews	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, May 21, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 822, Int. No. 757) entitled "An act to amend the Greater New York charter, relating to the uniformed force of the fire department."

CHARLES E. HUGHES.

Said bill having been announced, Mr. Burns moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Dobbs	Green	Marlatt	Sheridan
Apgar	Dominy	Gunderman	Matthews	Shuttleworth
Baldwin	Dowling	Hackett	McCue	Sinclair
Baumann	Draper	Haines	Mead	Smith A E
Blue	Dudley	Hamilton	Merritt	Smith C
Bohan	Duell	Hammond	Miller	Smith Myron
Boshart	Eagleton	Harawitz	Mills	Staley
Brady	Eggleston	Harris	Mooney	Stevenson
Brooks	Eichhorn	Hart	Moreland	Surpless
Brough	Farrell	Hastings	Murphy C F	Todd
Brown	Ferguson	Hoey	Murphy G W	Volk
Buckley	Feth	Holmes	Nevins	Waddell
Burhyte	Filley	Hooper	Northrup	Wagner
Burns	Flanagan	Hubbs	Norton	Wainwright
Burzynski	Foley C F	Hurd	O'Brian	Walters
Cavanaugh	Foley J A	Huth	Oliver	Waters
Chamberlain	Fowler	Jackson	Parker	Weber
Cole	Francis	Jacobs	Patton	Weimert
Collins	Ganly	Keller	Phillips	Wells
Colné	Garbe	Lansing	Prentice	West
Conklin	Geoghagan	Lee	Ralston	Whitley
Conrady	Glore	Lewis	Reece	Whitney F G
Croak	Gluck	Lowe	Rogers	Whitney G H
Cunningham	Glynn	Lupton	Schmidt	Winters
Cuvillier	Goldberg	Maher	Schoeneck	Wood
De Groot	Gray	Mallon	Schulz	Young

Mr. Burns moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

On page 2, line 9, strike out "and masters".

On page 2, line 9, strike out "whose annual salary shall be one", and on line 10, strike out "thousand five hundred dollars;" and insert in place thereof the following: "who shall continue to receive annual salaries as now provided by law;".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Dowling, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, May 8, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1132, Int. No. 638) entitled "An act to amend the Railroad Law, relative to motive power of street surface railroads in certain counties."

CHARLES E. HUGHES.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, April 12, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1376, Int. No. 927) entitled "An act to amend chapter six hundred and seventy-five of the Laws of nineteen hundred and six, entitled 'An act to provide for the reconstruction of the west wing of the coffer-dam at the outlet of Skaneateles lake, in the county of Onondaga, and making an appropriation therefor,' relative to reconstruction and improvements."

CHARLES E. HUGHES.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, April 12, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 662, Int. No. 621) entitled "An act to amend chapter seven hundred and sixty-six of the Laws of eighteen hundred and ninety-seven, entitled 'An act to abolish fine and imprisonment for nonpayment of taxes,' relative to poll taxes levied for highway purposes."

CHARLES E. HUGHES.

Mr. O'Brian offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1639, Int. No. 964) entitled "An act to amend chapter five hundred and fifty-two of the Laws of eighteen hundred and seventy-five, entitled 'An act in relation to habitual drunkards, vagrants and prostitutes in the county of Erie,' relative to commitments to the Salvation Army Rescue Home," for the purposes of transmitting same to the mayor of the city of Buffalo.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Schoeneck offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 1376, Int. No. 927) entitled "An act to amend chapter six hundred and seventy-five of the Laws of nineteen hundred and six, entitled 'An act to provide for the reconstruction of the west wing of the coffer-dam at the outlet of Skaneateles lake, in the county of Onondaga, and making an appropriation therefor,' relative to reconstruction and improvements," be returned to the governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the Senate bill (No. 1359, Assembly reprint No. 2694, Rec. No. 332) entitled "An act to amend chapter three hundred and twenty-one of the Laws of eighteen hundred and ninety-eight, entitled 'An act to make the office of sheriff of Oneida county a salaried office, and to regulate the management thereof,' relative to the appointment and compensation of an office deputy," with a message that they have concurred in the amendments of the Assembly made thereto.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the bill (No. 490, Assembly reprint No. 2700, Int. No. 477) entitled "An act to establish a ferry from

the highway adjacent to the farm of George H. Huber, in the county of Essex, across Lake Champlain," with a message that they have reconsidered their vote by which said bill was passed and, as amended, have again passed the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 1793, Assembly reprint No. 2729, Int. No. 1184) entitled "An act to amend chapter three hundred and fifty-seven of the Laws of nineteen hundred and five, entitled 'An act to revise the several acts relative to the city of Tonawanda,' generally," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Tonawanda.

The Senate returned the bill (No. 1867, Assembly reprint No. 2731, Int. No. 1301) entitled "An act to revise and amend the charter of the city of Jamestown," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Jamestown.

The Senate returned the bill (No. 2105, Assembly reprint No. 2730, Int. No. 1580) entitled "An act to amend chapter three hundred of the Laws of nineteen hundred and four, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls,' in relation to the establishment of an industrial commission for said city," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Niagara Falls.

The Senate returned the concurrent resolution, recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1639, Int. No. 964) entitled "An act to amend chapter five hundred and fifty-two of the Laws of eighteen hundred and seventy-five, entitled 'An act in relation to habitual drunkards, vagrants and prostitutes in the county of Erie,' relative to commitments to the Salvation Army Rescue Home," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 1376, Int. No. 927) entitled "An act to amend chapter six hundred and seventy-five of the Laws of nineteen hundred and six, entitled 'An act to provide for the reconstruction of the west wing of the coffer-dam at the outlet of Skaneateles lake, in the county of Onondaga, and making an appropriation therefor,' relative to reconstruction and improvements," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

Messrs. Mance of Orange, Duell of Westchester and Mallon of Erie were excused until Monday evening next.

On motion of Mr. Moreland, the House adjourned.

WEDNESDAY, MAY 22, 1907.

The House met pursuant to adjournment.

Prayer by Rev. A. C. Youmans.

On motion of Mr. Moreland, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. Prentice gives notice that he requests that Assembly bill (No. 2765, Int. No. 1895) entitled "An act to incorporate the 'Tiffany Employees' Benevolent Association,'" a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Young gives notice that he requests that Assembly bill (No. 2628, Int. No. 1837) entitled "An act to amend the Lien Law, in relation to filing of contracts and orders for public improvements," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Whitley gives notice that he requests that Assembly bill (No. 2251, Int. No. 290) entitled "An act to amend the Domestic Commerce Law, in relation to fire escapes in hotels and rooming-houses," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Norton gives notice that he requests that Assembly bill (No. 2690, Int. No. 1864) entitled "An act to establish a ferry from highway which runs about forty rods south of Bright's station in county of Washington, across Lake Champlain," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Lupton gives notice that he requests that Assembly bill (No. 2762, Int. No. 1892) entitled "An act in relation to the acquisition by the United States of America of land for fortification purposes which includes a highway or portions thereof," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Hubbs gives notice that he requests that Assembly bill (No. 2743, Int. No. 1883) entitled "An act to amend chapter five hundred and forty-nine of the Laws of eighteen hundred and seventy-four, entitled 'An act to provide for the planting and protection of oysters in those portions of the Great South bay lying in the town of Islip, Suffolk county, wherein the taking of clams cannot be profitably followed as a business,' in relation to allotments of portions of such bay," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Haines gives notice that he requests that Assembly bill (No. 2782, Int. No. 1906) entitled "An act to amend title two of chapter six hundred and thirty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the

city of Yonkers,' relative to the office of city judge," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Dowling gives notice that he requests that Assembly bill (No. 2734, Int. No. 1878) entitled "An act to empower the board of assessors of the city of New York to fix, determine and allow the amount of damages sustained to certain real property in said city in consequence of the change of grade of Meserole avenue between Diamond and Newall streets, borough of Brooklyn, city of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Hooper gives notice that he requests that Assembly bill (No. 2779, Int. No. 1903) entitled "An act to legalize, ratify and confirm the proceedings of the electors and board of education of union free school district number one, of the town of Schroon, in the county of Essex, relative to the levy of taxes, and the issuance and sale of bonds," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Mills gives notice that he requests that the Senate bill (No. 1007, Assembly reprint No. 2783, Rec. No. 315) entitled "An act to amend the Forest, Fish and Game Law, relative to the close season for plover and other birds," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Burhyte gives notice that he requests that the Senate bill (No. 1411, Rec. No. 347) entitled "An act to amend the Tax Law in relation to the taxation of bank shares," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Hastings gives notice that he requests that the Senate bill

(No. 1576, Rec. No. 404) entitled "An act to incorporate the city of Port Jervis, New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Hamn gives notice that he requests that the Senate bill (No. 951, Rec. No. 175) entitled "An act for the relief of the county of Ontario, relative to the collection of uncollected taxes therein of the years eighteen hundred and ninety-eight, eighteen hundred and ninety-nine, nineteen hundred, nineteen hundred and one, nineteen hundred and two, nineteen hundred and three, nineteen hundred and four and nineteen hundred and five, and empowering and directing the county treasurer thereof to collect such taxes by advertisement and sale of lands upon which the same were assessed," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Francis gives notice that he requests that Senate bill (No. 888, Rec. No. 305) entitled "An act to authorize the commissioners of the sinking fund of the city of New York to refund certain taxes upon property in the city of New York, owned by the Harlem Presbyterian Church," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Wood gives notice that he requests that the Senate bill (No. 1563, Rec. No. 360) entitled "An act to amend the Domestic Relations Law, by providing for marriage licenses," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Lansing gives notice that he requests that the Senate bill (No. 1376, Assembly reprint No. 2732, Rec. No. 327) entitled "An act to amend chapter one hundred and forty-six of the Laws of eighteen hundred and fifty-six, entitled 'An act authorizing the construction of a bridge across the Hudson river at Albany,'

and chapter seven hundred and seventy-nine of the Laws of eighteen hundred and sixty-nine, entitled 'An act to amend the charter of the Hudson River Bridge Company,' in relation to tolls charged and collected for the use of such bridges," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Nevins gives notice that he requests that Senate bill (No. 1561, Rec. No. 372) entitled "An act providing for the acquisition of land for extension of the forest preserve, and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Nevins gives notice that he requests that Senate bill (No. 1553, Rec. No. 373) entitled "An act to amend chapter seven hundred and eighteen of the Laws of nineteen hundred and four, entitled 'An act authorizing the selection of lands as a site for the New York State Training School for Boys, and establishing the said school,' as amended by chapter one hundred and thirty-three of the Laws of nineteen hundred and five and by chapter six hundred and seventeen of the Laws of nineteen hundred and six, in relation to the selection of lands and the time of making report," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Mills gives notice that he requests that Assembly bill (No. 2413, Int. No. 1719) entitled "An act to amend the Public Health Law, in relation to local health officers," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

The Senate sent for concurrence the following entitled bills:

"An act to amend chapter five hundred and seven of the Laws of nineteen hundred and three, entitled 'An act to abolish certain grade crossings of highways and railroads in the borough of Brooklyn in the city of New York and county of Kings, and pro-

viding for necessary changes in the grades of highways, streets and avenues, and to portions of the railroad and right of way of the New York, Brooklyn and Manhattan Beach Railway Company, leased to the Long Island Railroad Company, and of the Brooklyn Union Elevated Railroad Company, leased to the Brooklyn Heights Railroad Company, so as to abolish present and avoid future crossings at grade, and providing means for the payment for such alterations, or changes' " (No. 1648, Rec. No. 406), which was read the first time and referred to the committee on affairs of cities.

"An act to amend sections one hundred and eighty-two, one hundred and eighty-four, one hundred and eighty-six, one hundred and ninety, and one hundred and ninety-five of the Tax Law, in relation to the taxation of corporations " (No. 1550, Rec. No. 407), which was read the first time and referred to the committee on taxation and retrenchment.

"An act to authorize the city of Olean to acquire the reversionary interest and estate in the lands constituting the public square in said city " (No. 1650, Rec. No. 408), which was read the first time and referred to the committee on the affairs of cities.

"An act to authorize the city of Olean to sell and convey to the United States of America a portion of the public square in said city, in case such sale be approved by the electors at a vote to be taken, and providing for taking such vote " (No. 1649, Rec. No. 409), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Code of Criminal Procedure, in relation to the removal of an indictment from the Court of General Sessions of the Peace in and for the county of New York, County Court or a City Court to the Supreme Court and in relation to the admission of a defendant to bail " (No. 1216, Rec. No. 410), which was read the first time and referred to the committee on codes.

"An act to provide for discontinuing the use by the New York Central and Hudson River Railroad Company, for railroad purposes, of streets, avenues, public parks or places in the borough of Manhattan, in the city of New York, at grade, and to that end to authorize the city of New York to grant certain real property to said railroad company and to acquire certain other real prop-

erty and certain franchises from said railroad company by purchase or condemnation" (No. 1598, Rec. No. 411), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Cuvillier introduced a bill entitled "An act to allow certain pensions for employees of twenty-one years and upwards of continued service by the State of New York in one or more of the public institutions of this State and providing for the payment thereof" (Int. No. 1926), which was read the first time and referred to the committee on ways and means.

Also, by unanimous consent, "An act to prohibit unfair commercial discrimination between different sections, communities or localities" (Int. No. 1927), which was read the first time and referred to the committee on the judiciary.

Also, by unanimous consent, "An act to regulate the employment of veterans of the Civil War in the State, counties, cities and villages of New York, whether under the Civil Service Law or otherwise" (Int. No. 1928), which was read the first time and referred to the committee on the judiciary.

Also, by unanimous consent, "An act to provide for the revoking of the license and authority of any foreign or nonresident railway corporation, or any other foreign or nonresident corporation, of whatever kind, to do business in this State, whenever such corporation shall remove to or bring certain suits or proceedings in any federal court; to provide a penalty on any such corporation for doing, attempting to do, or holding itself out to do, business in this State after its license or authority has been revoked; and to provide a penalty upon any person or persons acting in this State as agent, servant, employee, or officer of any such corporation, its license or authority has been revoked, and to prevent any such corporation from doing or attempting to do business in this State without first obtaining a license, permit or certificate of authority therefor" (Int. No. 1929), which was read the first time and referred to the committee on the judiciary.

By unanimous consent, Mr. Brooks introduced a bill entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of raising money to construct, maintain, extend, operate, repair and regulate water works" (Int. No. 1930), which was read the first time and referred to the committee on affairs of cities.

Also, by unanimous consent, "An act to authorize the city of Buffalo to issue its bonds for the purpose of refunding one hundred thousand dollars of water fund bonds due and paid October first, nineteen hundred and three, also for refunding one hundred thousand dollars of water fund bonds due and paid in error in the year eighteen hundred and eighty-one" (Int. No. 1931), which was read the first time and referred to the committee on affairs of cities.

Also, by unanimous consent, "An act to authorize the city of Buffalo to issue its bonds for the purpose of refunding a certain certificate of indebtedness payable July first, nineteen hundred and eight" (Int. No. 1932), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Ralston introduced a bill entitled "An act to legalize the acts of Edward B. Thompson performed as commissioner of deeds" (Int. No. 1933), which was read the first time and referred to the committee on the judiciary.

By unanimous consent, Mr. Wainwright introduced a bill entitled "An act to amend the Consolidated School Law, relative to changing school districts" (Int. No. 1934), which was read the first time and referred to the committee on public education.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Prentice (No. 2765, Int. No. 1895), entitled "An act to incorporate the 'Tiffany Employees' Benevolent Association.'"

Also, Assembly bill introduced by Mr. Whitley (No. 2251, Int. No. 290), entitled "An act to amend the Domestic Commerce Law, in relation to fire-escapes in hotels and rooming-houses."

Also, Assembly bill introduced by Mr. Young (No. 2628, Int. No. 1837), entitled "An act to amend the Lien Law, in relation to filing of contracts and orders for public improvements."

Also, Assembly bill introduced by Mr. Lupton (No. 2762, Int. No. 1892), entitled "An act in relation to the acquisition by the United States of America of land for fortification purposes which includes a highway or portions thereof."

Also, Assembly bill introduced by Mr. Norton (No. 2690, Int. No. 1864), entitled "An act to establish a ferry from the highway

which runs about forty rods south of Bright's station, in the county of Washington, across Lake Champlain."

Also, Assembly bill introduced by Mr. Haines (No. 2782, Int. No. 1906), entitled "An act to amend title two of chapter six hundred and thirty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Yonkers,' relative to office of city judge."

Also, Assembly bill introduced by Mr. Hubbs (No. 2743, Int. No. 1883), entitled "An act to amend chapter five hundred and forty-nine of the Laws of eighteen hundred and seventy-four, entitled 'An act to provide for the planting and protection of oysters in those portions of the Great South bay lying in the town of Islip, Suffolk county, wherein the taking of clams cannot be profitably followed as a business,' in relation to allotments of portions of such bay."

Also, Assembly bill introduced by Mr. Dowling (No. 2734, Int. No. 1878), entitled "An act to empower the board of assessors of the city of New York to fix, determine and allow the amount of damages sustained to certain real property in said city in consequence of the change of grade of Meserole avenue between Diamond and Newall streets, borough of Brooklyn, city of New York."

Also, Assembly bill introduced by Mr. Hooper (No. 2779, Int. No. 1903), entitled "An act to legalize, ratify and confirm the proceedings of the electors and board of education of union free school district number one, of the town of Schroon, in the county of Essex, relative to the levy of taxes, and the issuance and sale of bonds," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Cobb (No. 1007, Assembly reprint No. 2783, Rec. No. 315), entitled "An act to amend the Forest, Fish and Game Law, relative to the close season for plover and other birds."

Also, Senate bill introduced by Mr. Taylor (No. 1576, Rec. No. 404), entitled "An act to incorporate the city of Port Jervis."

Also, Senate bill introduced by Mr. Saxe (No. 1411, Rec. No. 347), entitled "An act to amend the Tax Law in relation to the taxation of bank shares."

Also, Senate bill introduced by Mr. Page (No. 888, Rec. No. 305), entitled "An act to authorize the commissioners of the sinking fund of the city of New York to refund certain taxes upon property in the city of New York owned by the Harlem Presbyterian Church."

Also, Senate bill introduced by Mr. Raines (No. 951, Rec. No. 175), entitled "An act for the relief of the county of Ontario, relative to the collection of uncollected taxes therein of the years eighteen hundred and ninety-eight, eighteen hundred and ninety-nine, nineteen hundred, nineteen hundred and one, nineteen hundred and two, nineteen hundred and three, nineteen hundred and four and nineteen hundred and five, and empowering and directing the county treasurer thereof to collect such taxes by advertisement and sale of lands upon which the same were assessed."

Also, Senate bill introduced by Mr. Boyce (No. 1376, Assembly reprint No. 2732, Rec. No. 327), entitled "An act to amend chapter one hundred and forty-six of the Laws of eighteen hundred and fifty-six, entitled 'An act authorizing the construction of a bridge across the Hudson river at Albany,' and chapter seven hundred and seventy-nine of the Laws of eighteen hundred and sixty-nine, entitled 'An act to amend the charter of the Hudson River Bridge Company,' in relation to tolls charged and collected for the use of such bridges."

Also, Senate bill introduced by Mr. Cobb (No. 1563, Rec. No. 360), entitled "An act to amend the Domestic Relations Law, by providing for marriage licenses."

Also, Senate bill introduced by Mr. Armstrong (No. 1553, Rec. No. 372), entitled "An act to amend chapter seven hundred and eighteen of the Laws of nineteen hundred and four, entitled 'An act authorizing the selection of lands as a site for the New York Training School for Boys, and establishing the said school,' as amended by chapter one hundred and thirty-three of the Laws of nineteen hundred and five and by chapter six hundred and

seventeen of the Laws of nineteen hundred and six, in relation to the selection of lands and the time of making report."

Also, Senate bill introduced by Mr. Armstrong (No. 1561, Rec. No. 372), entitled "An act providing for the acquisition of land for extension of the Forest Preserve, and making an appropriation therefor," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Mills (No. 2413, Int. No. 1719), entitled "An act to amend the Public Health Law, in relation to local health officers," reported the same with the following amendments:

On page 2, strike out all of line 9 after the word "compensation".

Same page, strike out all of lines 10, 11 and 12.

Same page, line 14, strike out word "shall" and insert "must," and insert the words "actual and" after the words "allow the". Strike out the brackets inclosing the word reasonable", and strike out the words "actual and necessary".

Same page, in lines 18 and 19, inclose words "during any year" in brackets.

Same page, line 20, after the word "otherwise" insert "or will warrant an increase of his fixed compensation".

Same page, line 22, strike out word "extra".

and requests that said bill be reprinted, as amended, and recommitted to said committee.

Which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. West, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"Concurrent resolution of the Senate and Assembly proposing an amendment to section seven of article six of the Constitution, in relation to judges of the Court of Appeals and justices of the Supreme Court." (No. 2295, Int. No. 1670.)

"An act to authorize any Protestant Episcopal Church in the diocese of New York to convey all its property subject to the payment of its debts to any other Protestant Episcopal Church in said diocese." (No. 2741, Int. No. 1881.)

"An act conferring jurisdiction upon the Court of Claims to rehear and determine the claim of Michael C. Murphy against the State, and to make an award therefor." (No. 2735, Int. No. 1877.)

"An act to amend the Executive Law, relative to the examination of departments of the State." (No. 2756, Int. No. 1678).

"An act to amend the Greater New York charter, relative to inspection of boilers and engines, and the qualification and licensing of engineers." (No. 2706, Int. No. 959.)

"An act to amend the Greater New York charter, relative to employees of water works companies." (No. 2721, Int. No. 1455.)

"An act to authorize the Church of the Intercession to dispose of its property and become dissolved." (No. 2742, Int. No. 1882.)

"An act to amend the Tax Law, in relation to ascertaining value of special franchises and equalization thereof, powers of State Board of Tax Commissioners, review of assessments and collection of taxes." (No. 2760, Int. No. 1592.)

"An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' in relation to the jurisdiction of such court." (No. 1174, Int. No. 1015.)

"An act to amend the Greater New York charter, relating to engineers." (No. 2684, Int. No. 1860.)

"An act to amend chapter two hundred and twenty-five of the Laws of nineteen hundred and one, entitled 'An act to incorporate the city of Oneida,' in relation to bonds for local improvements." (No. 2747, Int. No. 1887.)

"An act to amend chapter three hundred and ninety-six of the Laws of eighteen hundred and eighty-five, entitled 'An act to revise the charter of the city of Dunkirk,' in relation to construction of sewers, interest on deferred payments and bonds for such improvements." (No. 2766, Int. No. 1896.)

"An act to amend chapter two hundred and sixty-six of the Laws of nineteen hundred and three, entitled 'An act to provide for the holding of town meetings and elections in counties of the State having a certain population,' in relation to the time when town officers shall take office, compensation of certain committees and supervisors of such counties." (No. 2759, Int. No. 1854.)

"An act to authorize and empower the commissioners of the sinking fund of the city of New York to refund to the Saint Paul's German Evangelical Reformed Church or the trustees thereof, moneys paid as assessment for public improvements upon certain real property belonging to said church in the borough of the Bronx, New York city." (No. 2749, Int. No. 1889.)

"An act to legalize the proceedings of certain meetings of the voters of school district number twelve, towns of Rotterdam and Niskayuna, Schenectady county, New York, and of the trustees of said district in the issuance and sale of bonds to the amount of eighteen thousand dollars." (No. 2728, Int. No. 1875.)

"An act to amend the Greater New York charter, in relation to qualifications of firemen." (No. 2750, Int. No. 1890.)

"An act to amend the Agricultural Law, in relation to the manufacture and sale of vinegar." (No. 2755, Int. No. 1841.)

Mr. Speaker announced the special order, being the bill (No. 2777) entitled "An act to amend chapter five hundred and sixty-six of the Laws of eighteen hundred and ninety, entitled 'An act in relation to transportation corporations excepting railroad, constituting chapter forty of the general laws,' in relation to town contracts with water corporations." (Int. No. 1856.)

On motion of Mr. Waddell, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Miller	Sinclair
Averill	Draper	Hamilton	Mills	Smith A E
Baldwin	Dudley	Hammond	Mooney	Smith C
Baumann	Duell	Hamn	Moreland	Smith Myron
Blue	Eagleton	Harris	Morgan	Stern
Boshart	Eggleston	Hart	Murphy G W	Stevenson
Brady	Eichhorn	Hastings	Nevins	Surpless
Brooks	Farrell	Hoey	Newton	Todd
Brough	Ferguson	Holmes	Northrup	Volk
Brown	Feth	Hooper	Norton	Voss
Buckley	Filley	Hubbs	O'Brian	Waddell
Burhyte	Foley C F	Hurd	Oliver	Wagner
Burns	Foley J A	Huth	Parker	Wainwright
Cavanaugh	Fowler	Jackson	Patton	Waters
Chamberlain	Francis	Jacobs	Phillips	Weber
Cole	Frisbie	Lansing	Prentice	Weimert
Collins	Ganly	Lee	Ralston	Wells
Colne	Garbe	Lewis	Reece	West
Conklin	Geoghagan	Loos	Robinson	Whitley
Conrady	Glore	Lowe	Rogers	Whitney F G
Croak	Glynn	Lupton	Schmidt	Whitney G H
Cunningham	Goldberg	Maher	Schoeneck	Winters
Cuvillier	Gray	Mallon	Schulz	Wood
De Groot	Green	Marlatt	Schwegler	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	Merritt	Shuttleworth	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1228, Assembly reprint No. 2784) entitled "An act to provide for the continuance of the index systems now employed by the county clerk and the surrogate of Oneida county, to cover the entire files of papers in their respective offices, and for the removal of the files and records kept in those offices to the new county building in the city of Utica, and to provide for the expenses thereof." (Rec. No. 334.) Said bill having been announced for second reading, Mr. Lewis moved to amend as follows:

Page 3, line 6, strike out word "may" and insert "shall".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to special order second and third reading.

Mr. Speaker announced the special order, being the Senate bill (No. 1035, Assembly reprint No. 2758) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section seven of article seven of the Constitution." (Rec. No. 300.)

Debate was had thereon.

Mr. Merritt moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

On motion of Mr. Dominy, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

AYES 23

NOES 56

Those who voted in the affirmative were:

Brooks	De Groot	Gray	Norton	Sinclair
Burns	Dominy	Lowe	Oliver	Smith A E
Cole	Duell	Merritt	Patton	Waters
Conrady	Fowler	Mills	Ralston	Wood
Cunningham	Frisbie	Murphy G W		

Those who voted in the negative were:

Allen	Donnelly	Glynn	Loos	Shuttleworth
Averill	Eagleton	Goldberg	Maher	Smith C
Blue	Eichhorn	Green	Moreland	Stanton
Buckley	Fay	Gunderman	Northrup	Stern
Burhyte	Filley	Hackett	O'Brian]	Voss
Burzynski	Foley C F	Hammond	Phillips	Waddell
Collins	Foley J A	Hoey	Reece	Wagner
Colné	Francis	Holmes	Robinson	Wainwright
Conklin	Ganly	Hubbs	Rogers	Walters
Croak	Geoghagan	Hurd	Schmidt	Weimert
Cuvillier	Glore	Keller	Schoeneck	West
Dobbs				

Mr. Merritt moved to reconsider the vote by which said bill was ost, and that said motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was decided in the affirmative.

Mr. Speaker announced the special order, being the bill (No. 2295) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section seven of article six of the Constitution, in relation to judges of the Court of Appeals and justices of the Supreme Court." (Int. No. 1670.)

On motion of Mr. G. H. Whitney, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 4

Those who voted in the affirmative were:

Apgar	Donnelly	Hackett	Mead	Shuttleworth
Averill	Dowling	Haines	Merritt	Sinclair
Baldwin	Draper	Hamilton	Miller	Smith A E
Baumann	Duell	Hammond	Mills	Smith C
Blue	Eagleton	Hamn	Mooney	Smith Myron
Boshart	Eggleston	Harris	Moreland	Stern
Brady	Eichhorn	Hart	Morgan	Stevenson
Brooks	Farrell	Hastings	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Volk
Brown	Feth	Holmes	Newton	Voss
Buckley	Filley	Hooper	Norton	Waddell
Burhyte	Foley C F	Hubbs	O'Brian	Wagner
Burns	Foley J A	Hurd	Oliver	Wainwright
Cavanaugh	Fowler	Huth	Parker	Waters
Chamberlain	Francis	Jackson	Patton	Weber
Cole	Frisbie	Jacobs	Phillips	Weimert
Collins	Ganly	Lansing	Prentice	Wells
Colné	Garbe	Lee	Ralston	West
Conklin	Geoghagan	Loos	Reece	Whitley
Conrady	Glore	Lowe	Robinson	Whitney F G
Croak	Glynn	Lupton	Schmidt	Whitney G H
Cunningham	Goldberg	Maher	Schoeneck	Winters
Cuvillier	Gray	Mallon	Schulz	Yale
De Groot	Green	Marlatt	Schwegler	Young
Dominy	Gunderman	Matthews	Sheridan	

Those who voted in the negative were:

Lewis Northrup Roger Wood

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2734) entitled "An act to empower the board of assessors of

the city of New York to fix, determine and allow the amount of damages sustained to certain real property in said city in consequence of the change of grade of Meserole avenue between Diamond and Newell streets, borough of Brooklyn, city of New York." (Int. No. 1878.)

On motion of Mr. Dowling, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Miller	Sinclair
Averill	Draper	Hamilton	Mills	Smith A E
Baldwin	Dudley	Hammond	Mooney	Smith C
Baumann	Duell	Hamn	Moreland	Smith Myron
Blue	Eagleton	Harris	Morgan	Stern
Boshart	Eggleston	Hart	Murphy G W	Stevenson
Brady	Eichhorn	Hastings	Nevins	Surpluss
Brooks	Farrell	Hoey	Newton	Todd
Brough	Ferguson	Holmes	Northrup	Volk
Brown	Feth	Hooper	Norton	Voss
Buckley	Filley	Hubbs	O'Brian	Waddell
Burhyte	Foley C F	Hurd	Oliver	Wagner
Burns	Foley J A	Huth	Parker	Wainwright
Cavanaugh	Fowler	Jackson	Patton	Waters
Chamberlain	Francis	Jacobs	Phillips	Weber
Cole	Frisbie	Lansing	Prentice	Weimert
Collins	Ganly	Lee	Ralston	Wells
Colné	Garbe	Lewis	Reece	West
Conklin	Geoghagan	Loos	Robinson	Whitley
Conrad	Glore	Lowe	Rogers	Whitney F G
Croak	Glynn	Lupton	Schmidt	Whitney G H
Cunningham	Goldberg	Maher	Schoeneck	Winters
Cuvillier	Gray	Mallon	Schulz	Wood
De Groot	Green	Marlatt	Schwegler	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	Merritt	Shuttleworth	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2779) entitled "An act to legalize, ratify and confirm the pro-

ceedings of the electors and board of education of union free school district number one, of the town of Schroon, in the county of Essex, relative to the levy of taxes, and the issuance and sale of bonds." (Int. No. 1903.)

On motion of Mr. Hooper, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Merritt	Shuttleworth
Averill	Draper	Hamilton	Miller	Sinclair
Baldwin	Dudley	Hammond	Mills	Smith A E
Baumann	Duell	Hamn	Mooney	Smith C
Blue	Eagleton	Harris	Moreland	Smith Myron
Boshart	Eggleston	Hart	Morgan	Stern
Brady	Eichhorn	Hastings	Murphy G W	Stevenson
Brooks	Farrell	Hoey	Nevins	Surpless
Brough	Ferguson	Holmes	Newton	Volk
Brown	Feth	Hooper	Northrup	Voss
Buckley	Filley	Hubbs	Norton	Waddell
Burhyte	Foley C F	Hurd	O'Brian	Wagner
Burns	Foley J A	Huth	Oliver	Wainwright
Cavanaugh	Fowler	Jackson	Parker	Waters
Chamberlain	Francis	Jacobs	Patton	Weber
Cole	Frisbie	Lansing	Phillips	Weimert
Collins	Ganly	Lee	Prentice	Wells
Colné	Garbe	Lewis	Ralston	West
Conklin	Geoghagan	Loos	Reece	Whitley
Conrady	Glore	Lowe	Robinson	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Schwegler	Young
Donnelly	Hackett	Mead	Sheridan	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2782) entitled "An act to amend title two of chapter six hundred and thirty-five of the Laws of eighteen hundred and ninety-five,

entitled 'An act to revise the charter of the city of Yonkers,' relative to the office of city judge." (Int. No. 1906.) Said bill having been announced for a second reading,

On motion of Mr. Haines, and by unanimous consent, said bill was made a special order on second and third reading for Monday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill No. 2743) entitled "An act to amend chapter five hundred and forty-nine of the Laws of eighteen hundred and seventy-four, entitled 'An act to provide for the planting and protection of oysters in those portions of the Great South bay lying in the town of Islip, Suffolk county, wherein the taking of clams cannot be profitably followed as a business,' in relation to allotments of portions of such bay." (Int. No. 1883.)

On motion of Mr. Hubbs, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Miller	Shuttleworth
Averill	Draper	Hamilton	Mills	Sinclair
Baldwin	Dudley	Hammond	Mooney	Smith A E
Baumann	Duell	Hamn	Moreland	Smith C
Blue	Eagleton	Harris	Morgan	Smith Myron
Boshart	Eggleston	Hart	Murphy G W	Stern
Brady	Eichhorn	Hastings	Nevins	Stevenson
Brooks	Farrell	Hoey	Newton	Surpless
Brough	Ferguson	Holmes	Northrup	Volk
Brown	Feth	Hooper	Norton	Voss
Buckley	Filley	Hubbs	O'Brian	Waddell
Burhyte	Foley C F	Hurd	Oliver	Wagner
Burns	Foley J A	Huth	Parker	Wainwright
Cavanaugh	Fowler	Jackson	Patton	Waters
Chamberlain	Francis	Jacobs	Phillips	Weber
Cole	Frisbie	Lansing	Prentice	Weimert
Collins	Ganly	Lee	Ralston	Wells
Colné	Garbe	Lewis	Reece	West
Conklin	Geoghagan	Loos	Robinson	Whitley
Conrad	Glore	Lowe	Rogers	Whitney F G

Croak	Glynn	Lupton	Schmidt	Whitney G H
Cunningham	Goldberg	Maher	Schoeneck	Winters
Cuvillier	Gray	Mallon	Schulz	Wood
De Groot	Green	Marlatt	Schwegler	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	Merritt		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2762) entitled "An act in relation to the acquisition by the United States of America of land for fortification purposes, which includes a highway or portions thereof." (Int. No. 1892.)

On motion of Mr. Lupton, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Hamilton	Miller	Shuttleworth
Averill	Draper	Hammond	Mills	Sinclair
Baldwin	Duell	Hamn	Mooney	Smith A E
Baumann	Eagleton	Harris	Moreland	Smith C
Blue	Eggleston	Hart	Morgan	Smith Myron
Boshart	Eichhorn	Hastings	Murphy G W	Stern
Brady	Farrell	Hoey	Nevins	Stevenson
Brooks	Ferguson	Holmes	Newton	Surpless
Brough	Feth	Hooper	Northrup	Volk
Brown	Filley	Hubbs	Norton	Voss
Buckley	Foley C F	Hurd	O'Brian	Waddell
Burhyte	Foley J A	Huth	Oliver	Wagner
Burns	Fowler	Jackson	Parker	Wainwright
Cavanaugh	Francis	Jacobs	Patton	Waters
Chamberlain	Frisbie	Lansing	Phillips	Weber
Cole	Ganly	Lee	Prentice	Weimert
Collins	Garbe	Lewis	Ralston	Wells
Colné	Geoghagan	Loos	Reece	West
Conklin	Glore	Lowe	Robinson	Whitley
Conrady	Glynn	Lupton	Rogers	Whitney F G
Croak	Goldberg	Maher	Schmidt	Whitney G H
Cunningham	Gray	Mallon	Schoeneck	Winters
Cuvillier	Green	Marlatt	Schulz	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dominy	Hackett	Merritt	Sheridan	Young
Donnelly	Haines			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2690) entitled "An act to establish a ferry from the highway which runs about forty rods south of Bright's station, in the county of Washington, across Lake Champlain." (Int. No. 1864.)

On motion of Mr. Norton, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baldwin	Duell	Hamn	Mooney	Smith C
Baumann	Eagleton	Harris	Moreland	Smith Myron
Blue	Eggleston	Hart	Morgan	Stern
Boshart	Eichhorn	Hastings	Murphy G W	Stevenson
Brady	Farrell	Hoey	Nevins	Stratton
Brooks	Ferguson	Holmes	Newton	Surpless
Brough	Feth	Hooper	Northrup	Volk
Brown	Filley	Hubbs	Norton	Voss
Buckley	Foley C F	Hurd	O'Brian	Waddell
Burhyte	Foley J A	Huth	Oliver	Wagner
Burns	Fowler	Jackson	Parker	Wainwright
Cavanaugh	Francis	Jacobs	Patton	Waters
Chamberlain	Frisbie	Lansing	Phillips	Weber
Cole	Ganly	Lee	Ralston	Weimert
Collins	Garbe	Lewis	Reece	Wells
Colné	Geoghagan	Loos	Robinson	West
Conklin	Glore	Lowe	Rogers	Whitley
Conrady	Glynn	Lupton	Schmidt	Whitney F G
Croak	Goldberg	Maher	Schoeneck	Whitney G H
Cunningham	Gray	Mallon	Schulz	Winters
Cuvillier	Green	Marlatt	Schwegler	Wood
De Groot	Gunderman	Matthews	Sheridan	Yale
Dominy	Hackett	Merritt	Shuttleworth	Young
Donnelly	Haines			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2251) entitled "An act to amend the Domestic Commerce Law, in relation to fire-escapes in hotels and rooming-houses." (Int. No. 290.) Said bill having been announced for a third reading,

On motion of Mr. O'Brian, and by unanimous consent, said bill was made a special order on second and third reading for Monday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 2628) entitled "An act to amend the Lien Law, in relation to filing of contracts and orders for public improvements." (Int. No. 1837.)

On motion of Mr. Young, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Hamilton	Miller	Shuttleworth
Averill	Draper	Hammond	Mills	Sinclair
Baldwin	Duell	Hamn	Mooney	Smith A E
Baumann	Eagleton	Harris	Moreland	Smith C
Blue	Eggleston	Hart	Morgan	Smith Myron
Boshart	Eichhorn	Hastings	Murphy G W	Stern
Brady	Farrell	Hoey	Nevins	Stevenson
Brooks	Ferguson	Holmes	Newton	Surpluss
Brough	Feth	Hooper	Northrup	Volk
Brown	Filley	Hubbs	Norton	Voss
Buckley	Foley C F	Hurd	O'Brian	Waddell
Burhyte	Foley J A	Huth	Oliver	Wagner
Burns	Fowler	Jackson	Parker	Wainwright
Cavanaugh	Francis	Jacobs	Patton	Waters
Chamberlain	Frisbie	Lansing	Phillips	Weber
Cole	Ganly	Lee	Prentice	Weimert
Collins	Garbe	Lewis	Ralston	Wells
Colné	Geoghagan	Loos	Reece	West
Conklin	Glore	Lowe	Robinson	Whitley

Conrady	Glynn	Lupton	Rogers	Whitney F G
Croak	Goldberg	Maher	Schmidt	Whitney G H
Cunningham	Gray	Mallon	Schoeneck	Winters
Cuvillier	Green	Marlatt	Schulz	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dominy	Hackett	Merritt	Sheridan	Young
Donnelly	Haines			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1553) entitled "An act to amend chapter seven hundred and eighteen of the Laws of nineteen hundred and four, entitled 'An act authorizing the selection of lands as a site for the New York State Training School for Boys, and establishing the said school,' as amended by chapter one hundred and thirty-three of the Laws of nineteen hundred and five and by chapter six hundred and seventeen of the Laws of nineteen hundred and six, in relation to the selection of lands and the time of making report." (Rec. No. 373.)

On motion of Mr. Whitley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Hamilton	Miller	Shuttleworth
Averill	Draper	Hammond	Mills	Sinclair
Baldwin	Duell	Hamn	Mooney	Smith A E
Baumann	Eagleton	Harris	Moreland	Smith C
Blue	Eggleston	Hart	Morgan	Smith Myron
Boshart	Eichhorn	Hastings	Murphy G W	Stern
Brady	Farrell	Hoey	Nevins	Stevenson
Brooks	Ferguson	Holmes	Newton	Surpless
Brough	Feth	Hooper	Northrup	Volk
Brown	Filley	Hubbs	Norton	Voss
Buckley	Foley C F	Hurd	O'Brian	Waddell
Burhyte	Foley J A	Huth	Oliver	Wagner

Burns	Fowler	Jackson	Parker	Wainwright
Cavanaugh	Francis	Jacobs	Patton	Waters
Chamberlain	Frisbie	Lansing	Phillips	Weber
Cole	Ganly	Lee	Prentice	Weimert
Collins	Garbe	Lewis	Ralston	Wells
Colné	Geoghagan	Loos	Reece	West
Conklin	Glore	Lowe	Robinson	Whitley
Conrady	Glynn	Lupton	Rogers	Whitney F G
Croak	Goldberg	Maher	Schmidt	Whitney G H
Cunningham	Gray	Mallon	Schoeneck	Winters
Cuvillier	Green	Marlatt	Schulz	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dominy	Hackett	Mead	Sheridan	Young
Donnelly	Haines	Merritt		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1561) entitled "An act providing for the acquisition of land for extension of the forest preserve, and making an appropriation therefor." (Rec. No. 372.)

On motion of Mr. Moreland, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Hamilton	Miller	Shuttleworth
Averill	Draper	Hammond	Mills	Sinclair
Baldwin	Duell	Hamn	Mooney	Smith A E
Baumann	Eagleton	Harris	Moreland	Smith C
Blue	Eggleston	Hart	Morgan	Smith Myron
Boshart	Eichhorn	Hastings	Murphy G W	Stern
Brady	Farrell	Hoey	Nevins	Stevenson
Brooks	Ferguson	Holmes	Newton	Surpluss
Brough	Feth	Hooper	Northrup	Volk
Brown	Filley	Hubbs	Norton	Voss
Buckley	Foley C F	Hurd	O'Brian	Waddell
Burhyte	Foley J A	Huth	Oliver	Wagner
Burns	Fowler	Jackson	Parker	Wainwright
Cavanaugh	Francis	Jacobs	Patton	Waters
Chamberlain	Frisbie	Lansing	Phillips	Weber
Cole	Ganly	Lee	Prentice	Weimert

Collins	Garbe	Lewis	Ralston	Wells
Colné	Geoghagan	Loos	Reece	West
Conklin	Glore	Lowe	Robinson	Whitley
Conrady	Glynn	Lupton	Rogers	Whitney F G
Croak	Goldberg	Maher	Schmidt	Whitney G H
Cunningham	Gray	Mallon	Schoeneck	Winters
Cuvillier	Green	Marlatt	Schulz	Wood -
De Groot	Gunderman	Matthews	Schwegler	Yale
Dominy	Hackett	Merritt	Sheridan	Young
Donnelly	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1376, Assembly reprint No. 2732) entitled "An act to amend chapter one hundred and forty-six of the Laws of eighteen hundred and fifty-six, entitled 'An act authorizing the construction of a bridge across the Hudson river at Albany,' and chapter seven hundred and seventy-nine of the Laws of eighteen hundred and sixty-nine, entitled 'An act to amend the charter of the Hudson River Bridge Company,' in relation to tolls charged and collected for the use of such bridges." (Rec. No. 327.)

On motion of Mr. Lansing, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Hamilton	Miller	Shuttleworth
Averill	Draper	Hammond	Mills	Sinclair
Baldwin	Duell	Hamn	Mooney	Smith A E
Baumann	Eagleton	Harris	Moreland	Smith C
Blue	Eggleston	Hart	Morgan	Smith Myron
Boshart	Eichhorn	Hastings	Murphy G W	Stern
Brady	Farrell	Hoey	Nevins	Stevenson
Brooks	Ferguson	Holmes	Newton	Surpluss
Brugh	Feth	Hooper	Northrup	Todd

Brown	Filley	Hubbs	Norton	Voss
Buckley	Foley C F	Hurd	O'Brian	Waddell
Burhyte	Foley J A	Huth	Oliver	Wagner
Burns	Fowler	Jackson	Parker	Wainwright
Cavanaugh	Francis	Jacobs	Patton	Waters
Chamberlain	Frisbie	Lansing	Phillips	Weber
Cole	Ganly	Lee	Prentice	Weimert
Collins	Garbe	Lewis	Ralston	Wells
Colné	Geoghagan	Loos	Reece	West
Conklin	Glore	Lowe	Robinson	Whitley
Conrady	Glynn	Lupton	Rogers	Whitney F G
Croak	Goldberg	Maher	Schmidt	Whitney G H
Cunningham	Gray	Mallon	Schoeneck	Winters
Cuvillier	Green	Marlatt	Schulz	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dominy	Hackett	Merritt	Sheridan	Young
Donnelly	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the Senate bill (No. 1563) entitled "An act to amend the Domestic Relations Law, by providing for marriage licenses." (Rec. No. 360.)

Said bill having been announced for a second reading, on motion of Mr. Wood, and by unanimous consent, said bill was made a special order on second and third reading for Wednesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the Senate bill (No. 888) entitled "An act to authorize the commissioners of the sinking fund of the city of New York to refund certain taxes upon property in the city of New York owned by the Harlem Presbyterian Church." (Rec. No. 305.)

On motion of Mr. Prentice, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Hamilton	Miller	Shuttleworth
Averill	Draper	Hammond	Mills	Sinclair
Baldwin	Duell	Hamn	Mooney	Smith A E
Baumann	Eagleton	Harris	Moreland	Smith C
Blue	Eggleston	Hart	Morgan	Smith Myron
Boshart	Eichhorn	Hastings	Murphy G W	Stern
Brady	Farrell	Hoey	Nevins	Stevenson
Brooks	Ferguson	Holmes	Newton	Surpless
Brough	Feth	Hooper	Northrup	Volk
Brown	Filley	Hubbs	Norton	Voss
Buckley	Foley C F	Hurd	O'Brian	Waddell
Burhyte	Foley J A	Huth	Oliver	Wagner
Burns	Fowler	Jackson	Parker	Wainwright
Cavanaugh	Francis	Jacobs	Patton	Waters
Chamberlain	Frisbie	Lansing	Phillips	Weber
Cole	Ganly	Lee	Prentice	Weimert
Collins	Garbe	Lewis	Ralston	Wells
Colné	Geoghagan	Loos	Reece	West
Conklin	Glore	Lowe	Robinson	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Goldberg	Maher	Schmidt	Whitney G H
Cunningham	Gray	Mallon	Schoeneck	Winters
Cuvillier	Green	Marlatt	Schulz	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dominy	Hackett	Merritt	Sheridan	Young
Donnelly	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 951) entitled "An act for the relief of the county of Ontario, relative to the collection of uncollected taxes therein of the years eighteen hundred and ninety-eight, eighteen hundred and ninety-nine, nineteen hundred, nineteen hundred and one, nineteen hundred and two, nineteen hundred and three, nineteen hundred and four and nineteen hundred and five, and empowering and directing the county treasurer thereof to collect such taxes by advertisement and sale of lands upon which the same were assessed." (Rec. No. 175.)

On motion of Mr. Hamn, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Schwegler	Matthews	Sheridan
Averill	Draper	Haines	Merritt	Shuttleworth
Baldwin	Duell	Hamilton	Miller	Sinclair
Baumann	Eagleton	Hammond	Mills	Smith A E
Blue	Eggleston	Hamn	Mooney	Smith C
Boshart	Eichhorn	Harris	Moreland	Smith Myron
Brady	Farrell	Hart	Morgan	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Surplless
Brown	Filley	Holmes	Newton	Voss
Buckley	Foley C F	Hooper	Northrup	Waddell
Burhyte	Foley J A	Hubbs	Norton	Wagner
Burns	Fowler	Hurd	O'Brian	Wainwright
Cavanaugh	Francis	Huth	Oliver	Waters
Chamberlain	Frisbie	Jackson	Parker	Weber
Cole	Ganly	Jacobs	Patton	Weimert
Collins	Garbe	Lansing	Phillips	Wells
Colné	Geoghagan	Lee	Prentice	West
Conklin	Glore	Lewis	Ralston	Whitley
Conrady	Glynn	Loos	Reece	Whitney F G
Croak	Goldberg	Lowe	Robinson	Whitney G H
Cunningham	Gray	Lupton	Rogers	Winters
Cuvillier	Green	Maher	Schmidt	Wood
De Groot	Gunderman	Mallon	Schoeneck	Yale
Dominy	Hackett	Marlatt	Schulz	Young
Donnelly				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1576) entitled "An act to incorporate the city of Port Jervis." (Rec. No. 404.)

On motion of Mr. Hastings, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hamilton	Miller	Shuttleworth
Averill	Duell	Hammond	Mills	Sinclair
Baldwin	Eagleton	Hamn	Mooney	Smith A E
Baumann	Eggleston	Harris	Moreland	Smith C
Blue	Eichhorn	Hart	Morgan	Smith Myron
Boshart	Farrell	Hastings	Murphy G W	Stern
Brady	Ferguson	Hoey	Nevins	Stevenson
Brooks	Feth	Holmes	Newton	Surpless
Brough	Filley	Hooper	Northrup	Volk
Brown	Foley C F	Hubbs	Norton	Voss
Buckley	Foley J A	Hurd	O'Brian	Waddell
Burhyte	Fowler	Huth	Oliver	Wagner
Burns	Francis	Jackson	Parker	Wainwright
Cavanaugh	Frisbie	Jacobs	Patton	Waters
Chamberlain	Ganly	Lansing	Phillips	Weber
Cole	Garbe	Lee	Prentice	Weimert
Collins	Geoghagan	Lewis	Ralston	Wells
Colné	Glore	Loos	Reece	West
Conklin	Glynn	Lowe	Robinson	Whitley
Conrady	Goldberg	Lupton	Rogers	Whitney F G
Croak	Gray	Maher	Schmidt	Whitney G H
Cunningham	Green	Mallon	Schoeneck	Winters
Cuvillier	Gunderman	Marlatt	Schulz	Wood
De Groot	Hackett	Matthews	Schwegler	Yale
Dominy	Haines	Merritt	Sheridan	Young
Dowling				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1411) entitled "An act to amend the Tax Law, in relation to the taxation of bank shares." (Rec. No. 347.)

On motion of Mr. Prentice, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 2

Those who voted in the affirmative were:

Apgar	Donnelly	Haines	Mead	Sheridan
Averill	Draper	Hamilton	Merritt	Shuttleworth
Baldwin	Duell	Hammond	Miller	Sinclair
Baumann	Eagleton	Hamm	Mills	Smith A E
Blue	Eggleston	Harris	Mooney	Smith C
Boshart	Eichhorn	Hart	Moreland	Smith Myron
Brady	Farrell	Hastings	Morgan	Stern
Brooks	Ferguson	Hoey	Murphy G W	Stevenson
Brough	Feth	Holmes	Nevins	Surpluss
Brown	Filley	Hooper	Newton	Volk
Buckley	Foley C F	Hubbs	Northrup	Voss
Burhyte	Foley J A	Hurd	Norton	Waddell
Burns	Fowler	Huth	O'Brian	Wagner
Cavanaugh	Francis	Jackson	Oliver	Wainwright
Chamberlain	Frisbie	Jacobs	Patton	Waters
Cole	Ganly	Lansing	Phillips	Weber
Collins	Garbe	Lee	Prentice	West
Colné	Geoghagan	Lewis	Ralston	Whitley
Conklin	Glore	Loos	Reece	Whitney F G
Conrady	Glynn	Lowe	Robinson	Whitney G H
Croak	Goldberg	Lupton	Rogers	Winters
Cunningham	Gray	Maher	Schmidt	Wood
Cuvillier	Green	Mallon	Schoeneck	Yale
De Groot	Gunderman	Marlatt	Schulz	Young
Dominy	Hackett	Matthews	Schwegler	

Those who voted in the negative were:

Weimert Wells

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1007, Assembly reprint No. 2783) entitled "An act to amend the Forest, Fish and Game Law, relative to the close season for plover and other birds." (Rec. No. 315.)

On motion of Mr. Wood, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Hamilton	Miller	Shuttleworth
Averill	Draper	Hammond	Mills	Sinclair
Baldwin	Duell	Hamn	Mooney	Smith A E
Baumann	Eagleton	Harris	Moreland	Smith C
Blue	Eggleston	Hart	Morgan	Smith Myron
Boshart	Eichorn	Hastings	Murphy G W	Stern
Brady	Farrell	Hoey	Nevins	Stevenson
Brooks	Ferguson	Holmes	Newton	Surpless
Brough	Feth	Hooper	Northrup	Volk
Brown	Filley	Hubbs	Norton	Voss
Buckley	Foley C F	Hurd	O'Brian	Waddell
Burhyte	Foley J A	Huth	Oliver	Wagner
Burns	Fowler	Jackson	Parker	Wainwright
Cavanaugh	Francis	Jacobs	Patton	Waters
Chamberlain	Frisbie	Lansing	Phillips	Weber
Cole	Ganly	Lee	Prentice	Weimert
Collins	Garbe	Lewis	Ralston	Wells
Colné	Geoghagan	Loos	Reece	West
Conklin	Glore	Lowe	Robinson	Whitley
Conrad	Glynn	Lupton	Rogers	Whitney F G
Croak	Goldberg	Maher	Schmidt	Whitney G H
Cunningham	Gray	Mallon	Schoeneck	Winters
Cuvillier	Green	Marlatt	Schulz	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dominy	Hackett	Mead	Sheridan	Young
Donnelly	Haines	Merritt		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the bill (No. 2765) entitled "An act to incorporate the 'Tiffany Employees' Benevolent Association.'" (Int. No. 1895.)

On motion of Mr. Prentice, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 1

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Mead	Sheridan
Averill	Draper	Hamilton	Merritt	Shuttleworth
Baldwin	Duell	Hammond	Miller	Sinclair
Baumann	Eagleton	Hamn	Mills	Smith A E
Blue	Eggleston	Harris	Mooney	Smith C
Boshart	Eichhorn	Hart	Moreland	Smith Myron
Brady	Farrell	Hastings	Morgan	Stern
Brooks	Ferguson	Hoey	Murphy G W	Stevenson
Brough	Feth	Holmes	Nevins	Todd
Brown	Filley	Hooper	Newton	Voss
Buckley	Foley C F	Hubbs	Northrup	Waddell
Burhyte	Foley J A	Hurd	Norton	Wagner
Burns	Fowler	Huth	O'Brian	Wainwright
Cavanaugh	Francis	Jackson	Oliver	Waters
Chamberlain	Frisbie	Jacobs	Parker	Weber
Cole	Ganly	Lansing	Patton	Weimert
Collins	Garbe	Lee	Phillips	Wells
Colné	Geoghagan	Lewis	Prentice	West
Conklin	Glore	Loos	Ralston	Whitley
Conrady	Glynn	Lowe	Reece	Whitney F G
Croak	Goldberg	Lupton	Robinson	Whitney G H
Cunningham	Gray	Maher	Schmidt	Winters
Cuvillier	Green	Mallon	Schoeneck	Wood
De Groot	Gunderman	Marlatt	Schulz	Yale
Dominy	Hackett	Matthews	Schwegler	Young
Donnelly				

In the negative:

Rogers

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2786) entitled "An act to amend the Code of Civil Procedure, relative to an action against a railroad corporation for damages in tort." (Int. No. 469.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Hamilton	Miller	Shuttleworth
Averill	Draper	Hammond	Mills	Sinclair
Baldwin	Duell	Hamn	Mooney	Smith A E
Baumann	Eagleton	Harris	Moreland	Smith C
Blue	Eggleston	Hart	Morgan	Smith Myron
Boshart	Eichhorn	Hastings	Murphy G W	Stern
Brady	Farrell	Hoey	Nevins	Stevenson
Brooks	Ferguson	Holmes	Newton	Surpless
Brough	Feth	Hooper	Northrup	Volk
Brown	Filley	Hubbs	Norton	Voss
Buckley	Foley C F	Hurd	O'Brian	Waddell
Burhyte	Foley J A	Huth	Oliver	Wagner
Burns	Fowler	Jackson	Parker	Wainwright
Cavanaugh	Francis	Jacobs	Patton	Waters
Chamberlain	Frisbie	Lansing	Phillips	Weber
Cole	Ganly	Lee	Prentice	Weimert
Collins	Garbe	Lewis	Ralston	Wells
Colne	Geoghagan	Loos	Reece	West
Conklin	Glore	Lowe	Robinson	Whitley
Conrad	Glynn	Lupton	Rogers	Whitney F G
Croak	Goldberg	Maher	Schmidt	Whitney G H
Cunningham	Gray	Mallon	Schoeneck	Winters
Cuvillier	Green	Marlatt	Schulz	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dominy	Hackett	Mead	Sheridan	Young
Donnelly	Haines	Merritt		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1073, Assembly reprint No. 2785) entitled "An act to amend chapter five hundred and fifty-three of the Laws of eighteen hundred and ninety-five, entitled 'An act in relation to the Supreme Court in the first judicial district and the Appellate Division thereof in the first department,' generally, and to repeal chapter five hundred and nineteen of the Laws of nineteen hundred and four." (Rec. No. 240.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Hamilton	Miller	Shuttleworth
Averill	Draper	Hammond	Mills	Sinclair
Baldwin	Duell	Hamn	Mooney	Smith A E
Baumann	Eagleton	Harris	Moreland	Smith C
Blue	Eggleston	Hart	Morgan	Smith Myron
Boshart	Eichhorn	Hastings	Murphy G W	Stern
Brady	Farrell	Hoey	Nevins	Stevenson
Brooks	Ferguson	Holmes	Newton	Surpless
Brough	Feth	Hooper	Northrup	Volk
Brown	Filley	Hubbs	Norton	Voss
Buckley	Foley C F	Hurd	O'Brian	Waddell
Burhyte	Foley J A	Huth	Oliver	Wagner
Burns	Fowler	Jackson	Parker	Wainwright
Cavanaugh	Francis	Jacobs	Patton	Waters
Chamberlain	Frisbie	Lansing	Phillips	Weber
Cole	Ganly	Lee	Prentice	Weimert
Collins	Garbe	Lewis	Ralston	Wells
Colné	Geoghagan	Loos	Reece	West
Conklin	Glore	Lowe	Robinson	Whitley
Conrady	Glynn	Lupton	Rogers	Whitney F G
Croak	Goldberg	Maher	Schmidt	Whitney G H
Cunningham	Gray	Mallon	Schoeneck	Winters
Cuvillier	Green	Marlatt	Schulz	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dominy	Hackett	Mead	Sheridan	Young
Donnelly	Haines	Merritt		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the bill (No. 2739) entitled "An act in relation to public printing in Clinton county." (Int. No. 1270.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 91

NOES 46

Those who voted in the affirmative were:

Allen	Dowling	Harris	Moreland	Smith C
Apgar	Draper	Hart	Morgan	Smith Myron
Averill	Duell	Hastings	Murphy C F	Staley
Baldwin	Eggleston	Hooper	Murphy G W	Surpless

Blue	Eichhorn	Hubbs	Nevins	Volk
Boshart	Ferguson	Hurd	Norton	Voss
Brady	Filley	Lansing	O'Brian	Waddell
Brooks	Fowler	Lee	Parker	Wainwright
Brough	Francis	Lewis	Patton	Waters
Brown	Frisbie	Lowe	Phillips	Weber
Burhyte	Glore	Lupton	Prentice	Weimert
Chamberlain	Gray	Maher	Ralston	Wells
Cole	Green	Marlatt	Reece	West
Colne	Gunderman	Matthews	Robinson	Whitley
Conklin	Haines	Mead	Rogers	Winters
Conrady	Hamilton	Merritt	Schoeneck	Wood
Cunningham	Hammond	Miller	Shuttleworth	Yale
De Groot	Hamn	Mills	Sinclair	Young
Dominy				

Those who voted in the negative were:

Baumann	Eagleton	Geoghagan	Jackson	Prince
Bohan	Farrell	Gluck	Jacobs	Schmidt
Buckley	Fay	Glynn	Keller	Schulz
Burns	Feth	Goldberg	Loos	Schwegler
Burzynski	Flanagan	Hackett	Mallon	Sheridan
Cavanaugh	Foley C F	Harawitz	McCue	Smith A E
Croak	Foley J A	Hoey	Mooney	Stern
Cuvillier	Ganly	Holmes	Northrup	Wagner
Dobbs	Garbe	Huth	Oliver	Walters
Donnelly				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, May 22, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 2118, Int. No. 1412) entitled "An act to amend chapter one hundred and eighty-two of the laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' relative to the appointment of a deputy commissioner of public works and the submission of a proposition therefor."

CHARLES E. HUGHES.

Said bill having been announced, Mr. Duell moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Hamilton	Miller	Shuttleworth
Averill	Draper	Hammond	Mills	Sinclair
Baldwin	Duell	Hamn	Mooney	Smith A E
Baumann	Eagleton	Harris	Moreland	Smith C
Blue	Eggleston	Hart	Morgan	Smith Myron
Boshart	Eichhorn	Hastings	Murphy G W	Stern
Brady	Farrell	Hoey	Nevins	Stevenson
Brooks	Ferguson	Holmes	Newton	Surpless
Brough	Feth	Hooper	Northrup	Volk
Brown	Filley	Hubbs	Norton	Voss
Buckley	Foley C F	Hurd	O'Brian	Waddell
Burhyte	Foley J A	Huth	Oliver	Wagner
Burns	Fowler	Jackson	Parker	Wainwright
Cavanaugh	Francis	Jacobs	Patton	Waters
Chamberlain	Frisbie	Lansing	Phillips	Weber
Cole	Ganly	Lee	Prentice	Weimert
Collins	Garbe	Lewis	Ralston	Wells
Colné	Geoghagan	Loos	Reece	West
Conklin	Glore	Lowe	Robinson	Whitley
Conrady	Glynn	Lupton	Rogers	Whitney F G
Croak	Goldberg	Maher	Schmidt	Whitney G H
Cunningham	Gray	Mallon	Schoeneck	Winters
Cuvillier	Green	Marlatt	Schulz	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dominy	Hackett	Merritt	Sheridan	Young
Donnelly	Haines			

Mr. Duell moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 2, line 8, strike out the words "twelve hundred dollars per annum" and substitute therefor the words "fixed by resolution of the common council not less than four months prior to the inception of the term of office to which it applies".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Dowling, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A message was received from the Senate, in words following:

IN SENATE, May 21, 1907.

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 730, Senate reprint No. 1671, Rec. No. 216) entitled "An act to amend the Greater New York charter, relative to the salary of the commissioner of docks and the deputy commissioner of docks."

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Cullen, and by unanimous consent, the same was amended as follows:

Strike out all after the enacting clause and insert Senate bill No. 1671.

Said bill, as amended, was reprinted, re-engrossed, and, having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

LAFAYETTE B. GLEASON,
Clerk.

Said bill having been announced, Mr. Miller moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Hamilton	Miller	Shuttleworth
Averill	Draper	Hammond	Mills	Sinclair
Baldwin	Duell	Hamn	Mooney	Smith A E
Baumann	Eagleton	Harris	Moreland	Smith C
Blue	Eggleston	Hart	Morgan	Smith Myron
Boshart	Eichhorn	Hastings	Murphy G W	Stern
Brady	Farrell	Hoey	Nevins	Stevenson
Brooks	Ferguson	Holmes	Newton	Surpless
Brough	Feth	Hooper	Northrup	Volk
Brown	Filley	Hubbs	Norton	Voss
Buckley	Foley C F	Hurd	O'Brian	Waddell
Burhyte	Foley J A	Huth	Oliver	Wagner
Burns	Fowler	Jackson	Parker	Wainwright
Cavanaugh	Francis	Jacobs	Patton	Waters
Chamberlain	Frisbie	Lansing	Phillips	Weber
Cole	Ganly	Lee	Prentice	Weimert
Collins	Garbe	Lewis	Ralston	Wells
Colne	Geoghagan	Loos	Reece	West
Conklin	Glore	Lowe	Robinson	Whitley
Conrad	Glynn	Lupton	Rogers	Whitney F G

Croak	Goldberg	Maier	Schmidt	Whitney G H
Cunningham	Gray	Mallon	Schoeneck	Winters
Cuvillier	Green	Marlatt	Schulz	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dominy	Hackett	Mead	Sheridan	Young
Donnelly	Haines	Merritt		

Said bill, as amended, was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hamilton	Merritt	Shuttleworth
Averill	Duell	Hammond	Miller	Sinclair
Baldwin	Eagleton	Hamn	Mills	Smith A E
Baumann	Eggleston	Harris	Mooney	Smith C
Blue	Eichhorn	Hart	Moreland	Smith Myron
Boshart	Farrell	Hastings	Morgan	Stern
Brady	Ferguson	Hoey	Murphy G W	Stevenson
Brooks	Feth	Holmes	Nevins	Surpluss
Brough	Filley	Hooper	Northrup	Volk
Brown	Foley C F	Hubbs	Norton	Voss
Buckley	Foley J A	Hurd	O'Brian	Waddell
Burhyte	Fowler	Huth	Oliver	Wagner
Burns	Francis	Jackson	Parker	Wainwright
Cavanaugh	Frisbie	Jacobs	Patton	Waters
Chamberlain	Ganly	Lansing	Phillips	Weber
Cole	Garbe	Lee	Prentice	Weimert
Collins	Geoghagan	Lewis	Ralston	Wells
Colné	Glore	Loos	Reece	West
Conklin	Glynn	Lowe	Robinson	Whitley
Conrady	Goldberg	Lupton	Rogers	Whitney F G
Cunningham	Gray	Maier	Schmidt	Whitney G H
Cuvillier	Green	Mallon	Schoeneck	Winters
De Groot	Gunderman	Marlatt	Schulz	Wood
Dominy	Hackett	Matthews	Schwegler	Yale
Donnelly	Haines	Mead	Sheridan	Young
Dowling				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, May 22, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 937, Int. No. 855) entitled "An act in relation to claims against the village of Ellenville for damages for personal injury or injury to property".

CHARLES E. HUGHES.

Said bill having been announced, Mr. Cunningham moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Hamilton	Miller	Shuttleworth
Averill	Draper	Hammond	Mills	Sinclair
Baldwin	Duell	Hamn	Mooney	Smith A E
Baumann	Eagleton	Harris	Moreland	Smith C
Blue	Eggleston	Hart	Morgan	Smith Myron
Boshart	Eichhorn	Hastings	Murphy G W	Stern
Brady	Farrell	Hoey	Nevins	Stevenson
Brooks	Ferguson	Holmes	Newton	Surpless
Brough	Feth	Hooper	Northrup	Volk
Brown	Filley	Hubbs	Norton	Voss
Buckley	Foley C F	Hurd	O'Brian	Waddell
Burhyte	Foley J A	Huth	Oliver	Wagner
Burns	Fowler	Jackson	Parker	Wainwright
Cavanaugh	Francis	Jacobs	Patton	Waters
Chamberlain	Frisbie	Lansing	Phillips	Weber
Cole	Ganly	Lee	Prentice	Weimert
Collins	Garbe	Lewis	Ralston	Wells
Colné	Geoghagan	Loos	Reece	West
Conklin	Glore	Lowe	Robinson	Whitley
Conrad	Glynn	Lupton	Rogers	Whitney F G
Croak	Goldberg	Maher	Schmidt	Whitney G H
Cunningham	Gray	Mallon	Schoeneck	Winters
Cuvillier	Green	Marlatt	Schulz	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dominy	Hackett	Merritt	Sheridan	Young
Donnelly	Haines			

Mr. Cunningham moved that said bill be recommitted to the committee on claims, with instructions to report the same forthwith amended as follows:

On page 2, line 4, strike out the words "out of repair."

On page 2, line 5, after the word "by" insert the words "or because of."

On page 2, line 5, strike out the word "defective" and insert in place thereof the word "dangerous."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. DeGroot, from the committee on claims, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A message was received from the Senate, in the words following:

IN SENATE, *May 21, 1907.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 913, reprint No. 1672, Rec. No. 177), entitled "An act to amend chapter five hundred and seventy-two of the laws of nineteen hundred and two, entitled 'An act to revise and amend an act to incorporate the city of Middletown and the acts amendatory thereof,' generally."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Taylor, and by unanimous consent, the same was amended as follows:

Strike out from line 12, page 11, to line 9, page 13, inclusive, being section 5 and renumber subsequent sections.

Said bill, as amended, was reprinted, re-engrossed, and, having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

LAFAYETTE B. GLEASON,

Clerk.

Said bill having been announced, Mr. Hastings moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

Those who voted in the affirmative were:

Apgar	Donnelly	Haines	Mead	Sheridan
Averill	Dowling	Hamilton	Merritt	Shuttleworth
Baldwin	Draper	Hammond	Miller	Sinclair
Baumann	Duell	Hamn	Mills	Smith A E
Blue	Eagleton	Harris	Mooney	Smith C
Boshart	Eggleston	Hart	Moreland	Stern
Brady	Eichhorn	Hastings	Morgan	Surpless
Brooks	Farrell	Hoey	Murphy G W	Volk
Brough	Ferguson	Holmes	Nevins	Voss
Brown	Feth	Hooper	Northrup	Waddell
Buckley	Filley	Hubbs	Norton	Wagner
Burhyte	Foley C F	Hurd	O'Brian	Wainwright
Burns	Foley J A	Huth	Oliver	Waters
Cavanaugh	Fowler	Jackson	Parker	Weber
Chamberlain	Francis	Jacobs	Patton	Weimert
Cole	Frisbie	Lansing	Phillips	Wells
Collins	Ganly	Lee	Prentice	West
Colné	Garbe	Lewis	Ralston	Whitley
Conklin	Glore	Loos	Reece	Whitney F G
Conrady	Glynn	Lowe	Robinson	Whitney G H
Croak	Goldberg	Lupton	Rogers	Winters
Cunningham	Gray	Maher	Schmidt	Wood
Cuvillier	Green	Mallon	Schoeneck	Yale
De Groot	Gunderman	Marlatt	Schulz	Young
Dominy	Hackett	Matthews	Schwegler	

Said bill, as amended, was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Hamilton	Miller	Parker
Averill	Draper	Hammond	Mills	Shuttleworth
Baldwin	Duell	Hamn	Mooney	Sinclair
Baumann	Eagleton	Harris	Moreland	Smith A E
Blue	Eggleston	Hart	Morgan	Smith C
Boshart	Eichhorn	Hastings	Murphy G W	Stern
Brady	Farrell	Hoey	Nevins	Surpless
Brooks	Ferguson	Holmes	Newton	Volk
Brough	Feth	Hooper	Northrup	Voss
Brown	Filley	Hubbs	Norton	Waddell
Buckley	Foley C F	Hurd	O'Brian	Wagner
Burhyte	Foley J A	Huth	Oliver	Wainwright
Burns	Fowler	Jackson		

Cavanaugh	Francis	Jacobs	Patton	Waters
Chamberlain	Frisbie	Lansing	Phillips	Weber
Cole	Ganly	Lee	Prentice	Weimert
Collins	Garbe	Lewis	Ralston	Wells
Colné	Glore	Loos	Reece	West
Conklin	Glynn	Lowe	Robinson	Whitley
Conrady	Goldberg	Lupton	Rogers	Whitney F G
Croak	Gray	Maher	Schmidt	Whitney G H
Cunningham	Green	Mallon	Schoeneck	Winters
Cuvillier	Gunderman	Marlatt	Schulz	Wood
De Groot	Hackett	Matthews	Schwegler	Yale
Dominy	Haines	Merritt	Sheridan	Young
Donnelly				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same.

A message was received from the Senate, in the words following:

IN SENATE, *May 21, 1907.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 1219, reprint No. 1675, Rec. No. 264) entitled "An act to amend chapter seven of the laws of nineteen hundred and four, entitled 'An act to revise, amend and consolidate the several acts relating to the village of Norwich, and to repeal certain acts and parts of acts,' in relation to the paid police force."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Allds, and by unanimous consent, the same was amended as follows:

Page 2, line 1, inclose in brackets the word "as"; insert bracket before the word "not" and strike out brackets before the word "forty" and after the word "than". Same page, line 2, insert bracket after the word "month"; and strike out balance of line. Same page, strike out all of lines 3 and 4.

Said bill, as amended, was reprinted, re-engrossed, and, having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

LAFAYETTE B. GLEASON,

Clerk.

Said bill having been announced, Mr. Moreland moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill,

and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Hamilton	Miller	Shuttleworth
Averill	Draper	Hammond	Mills	Sinclair
Baldwin	Duell	Hamn	Mooney	Smith A E
Baumann	Eagleton	Harris	Moreland	Smith C
Blue	Eggleston	Hart	Morgan	Smith Myron
Boshart	Eichhorn	Hastings	Murphy G W	Stern
Brady	Farrell	Hoey	Nevins	Stevenson
Brooks	Ferguson	Holmes	Newton	Surpless
Brough	Feth	Hooper	Northrup	Volk
Brown	Filley	Hubbs	Norton	Voss
Buckley	Foley C F	Hurd	O'Brian	Waddell
Burhyte	Foley J A	Huth	Oliver	Wagner
Burns	Fowler	Jackson	Parker	Wainwright
Cavanaugh	Francis	Jacobs	Patton	Waters
Chamberlain	Frisbie	Lansing	Phillips	Weber
Cole	Ganly	Lee	Prentice	Weimert
Collins	Garbe	Lewis	Ralston	Wells
Colne	Geoghagan	Loos	Reece	West
Conklin	Glore	Lowe	Robinson	Whitley
Conrady	Glynn	Lupton	Rogers	Whitney F G
Croak	Goldberg	Maher	Schmidt	Whitney G H
Cunningham	Gray	Mallon	Schoeneck	Winters
Cuvillier	Green	Marlatt	Schulz	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dominy	Hackett	Mead	Sheridan	Young
Donnelly	Haines	Merritt		

Said bill, as amended, was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Hamilton	Miller	Shuttleworth
Averill	Draper	Hammond	Mills	Sinclair
Baldwin	Duell	Hamn	Mooney	Smith A E
Baumann	Eagleton	Harris	Moreland	Smith C
Blue	Eggleston	Hart	Morgan	Smith Myron
Boshart	Eichhorn	Hastings	Murphy G W	Stern
Brady	Farrell	Hoey	Nevins	Stevenson

Brooks	Fergu	Holmes	Newton	Surpless
Brough	Feth	Hooper	Northrup	Volk
Brown	Filley	Hubbs	Norton	Voss
Buckley	Foley C F	Hurd	O'Brian	Waddell
Burhyte	Foley J A	Huth	Oliver	Wagner
Burns	Fowler	Jackson	Parker	Wainwright
Cavanaugh	Francis	Jacobs	Patton	Waters
Chamberlain	Frisbie	Lansing	Phillips	Weber
Cole	Ganly	Lee	Prentice	Weimert
Collins	Garbe	Lewis	Ralston	Wells
Colné	Geoghagan	Loos	Reece	West
Conklin	Glore	Lowe	Robinson	Whitley
Conrady	Glynn	Lupton	Rogers	Whitney F G
Croak	Goldberg	Maher	Schmidt	Whitney G H
Cunningham	Gray	Mallon	Schoeneck	Winters
Cuvillier	Green	Marlatt	Schulz	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dominy	Hackett	Mead	Sheridan	Young
Donnelly	Haines	Merritt		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same.

The Senate returned the Assembly bill (No. 2719, Senate re-print No. 1728, Int. No. 1083) entitled "An act to establish the public service commissions and prescribing their powers and duties, and to provide for the regulation and control of certain public service corporations and making an appropriation therefor," with a message that they have concurred in the passage of the same, with the following amendments:

Page 1, line 3, strike out "21" and insert in place thereof "23".

Page 1, line 5, strike out "42" and insert in place thereof "40".

Page 1, line 8, strike out "61" and insert in place thereof "60".

Page 2, line 3, strike out "76" and insert in place thereof "77".

Page 3, line 11, strike out the word "commission" and insert in place thereof the word "commissions".

Page 3, line 12, strike out the word "so".

Page 3, line 14, strike out the word "the" after the words "terms of", and insert in place thereof the word "this".

Page 4, line 10, after the word "railroad" insert ", other than a street railroad,".

Page 6, line 13, after "each" insert "commission".

Page 7, line 1, strike out the apostrophe after the word "days".

Page 7, line 15, strike out the comma after the word "years".

Page 9, line 2, strike out "for" and insert in place thereof "of".

Page 10, line 25, strike out "electric" and insert in place thereof "electrical".

Page 12, line 9, strike out the comma after the word "commission".

Page 14, lines 19 and 20, strike out "and its secretary and counsel".

Page 16, line 13, strike out the word "and" after the word "corporation" and insert in place thereof a comma.

Page 16, line 14, after "corporation" insert ", gas corporation and electrical corporation".

Page 17, lines 2 and 3, strike out "the person guilty of such violation of this section" and insert in place thereof the word "him".

Page 17, line 16, strike out "electric" and insert in place thereof "electrical".

Page 17, line 20, after "railroad," insert "street railroad,"; strike out "electric" and insert in place thereof "electrical".

Page 24, line 11, strike out the word "provision" and insert in place thereof the word "provisions".

Page 26, line 15, strike out the word "the" and insert in place thereof the word "a".

Page 28, line 6, strike out "entering" and insert in place thereof "filing"; line 18, strike out "to also" and insert in place thereof "also to".

Page 37, line 14, strike out the comma at end of line.

Page 39, line 3, strike out "carrier" and insert in place thereof the word "carriers".

Page 40, line 14, strike out the comma after "so".

Page 41, line 2, strike out "in such form"; line 25, strike out "period" and insert in place thereof "time".

Page 42, line 8, strike out the comma after "specified"; line 13, after "file" insert "any"; after "report" insert "or answer"; line 16, after "report" insert "or answer"; line 22, strike out "for" and insert in place thereof "of"; line 23, strike out "for" and insert in place thereof "of".

Page 43, line 1, strike out the word "for" in two places and insert in place thereof in each place "of".

Page 46, line 7, strike out "and" after "force" and insert in place thereof a comma; line 8, insert before the word "in" the words "and to be used", and strike out the words "respect to".

Page 50, line 3, strike out the word "No" and insert in place

thereof "Without first having obtained the permission and approval of the proper commission no".

Page 50, line 5, strike out the comma after the word "railroad" and insert in place thereof the words "or street railroad".

Page 50, line 5, after "thereof," insert "for which prior to the time when this act becomes a law a certificate of public convenience and necessity shall not have been granted by the board of railroad commissioners or where prior to said time said corporation or common carrier shall not have become entitled by virtue of its compliance with the provisions of the railroad law to begin such construction;"

Page 50, line 5, strike out the word "it" and insert in place thereof "any such corporation or common carrier except as provided in this section,"

Page 50, line 19, strike out the comma after the word "to" and strike out the comma after the word "under".

Page 51, line 3, strike out the period after the word "franchise" and insert in place thereof a comma and the words "or to waive any forfeiture."

Page 52, line 20, strike out the period after the word "corporation" and insert in place thereof the following: ", but this provision shall not apply to any lawful issue of stock, to the lawful execution and delivery of any mortgage or to the lawful issue of bonds thereunder, which shall have been duly approved by the board of railroad commissioners before the time when this act becomes a law."

Page 52, line 23, strike out the word "witness" and insert in place thereof the word "witnesses".

Page 53, line 1, strike out "less" and insert in place thereof "not more"; line 10, strike out "on" and insert in place thereof "or".

Page 53, line 22, strike out "in" and insert in place thereof "of".

Page 53, line 25, strike out "in" and insert in place thereof "of".

Page 54, line 2, strike out "in" and insert "of".

Page 56, line 4, strike out the word "the" after the word "afford".

Page 56, line 16, strike out the word "sixty" and insert in place thereof "fifty-nine".

Page 56, line 26, strike out the word "provision" and insert in place thereof the word "provisions".

Page 57, line 8, strike out the word "for" after the word "recover".

Page 58, line 11, strike out "electric" and insert in place thereof "electrical".

Page 60, line 19, insert a comma at end of the line; lines 22 and 23, strike out the words "in manufacturing, delivering and supplying the gas so sold,".

Page 64, line 4, strike out "or secretary"; line 17, strike out "electric" and insert in place thereof "electrical"; line 26, strike out "electric" and insert in place thereof "electrical".

Page 65, line 13, strike out "electric" and insert in place thereof "electrical"; strike out "to forthwith" and insert in place thereof "forthwith to".

Page 66, line 13, strike out "for capital account".

Page 67, line 8, strike out "less" and insert in place thereof "not more".

Page 68, line 2, strike out "electric" and insert in place thereof "electrical"; line 12, after the word "franchise" insert "or to waive any forfeiture"; line 21, strike out "electric" and insert in place thereof "electrical"; line 23, strike out "electric" and insert in place thereof "electrical".

Page 69, line 5, strike out "electric" and insert in place thereof "electrical".

Page 71, line 14, strike out "electric" and insert in place thereof "electrical".

Page 72, line 18, strike out "electric" and insert in place thereof "electrical".

Page 73, line 8, strike out "electric" and insert in place thereof "electrical"; line 21, strike out the word "the".

Page 76, line 23, at end insert "The said commission may also, at its pleasure, retain in its employment any person or persons employed by the said board of rapid transit railroad commissioners, and all said persons shall be eligible for transfer and appointment to positions under the public service commission of the first district."

Page 78, line 14, after "dollars" insert "one hundred and fifty thousand dollars for the use of the commission of the first district and one hundred and fifty thousand dollars for the use of the commission of the second district,".

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

To the Legislature:

It appearing to my satisfaction that the public interest requires it:

Therefore, in accordance with the provisions of section fifteen of article three of the Constitution, and by virtue of the authority

thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Senate bill (No. 1738) entitled "An act to establish the public service commissions and prescribing their powers and duties, and to provide for the regulation and control of certain public service corporations and making an appropriation therefor".

Given under my hand and the Privy Seal of the State at the Capitol in the city of Albany this twenty-second day of May in the year of our Lord, one thousand nine hundred and seven.

CHARLES E. HUGHES.

By the Governor,

ROBERT H. FULLER,
Secretary to the Governor.

Mr. Merritt moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Hamilton	Miller	Shuttleworth
Averill	Draper	Hammond	Mills	Sinclair
Baldwin	Duell	Hamn	Mooney	Smith A E
Baumann	Eagleton	Harris	Moreland	Smith C
Blue	Eggleston	Hart	Morgan	Smith Myron
Boshart	Eichhorn	Hastings	Murphy G W	Stern
Brady	Farrell	Hoey	Nevins	Stevenson
Brooks	Ferguson	Holmes	Newton	Surpless
Brough	Feth	Hooper	Northrup	Volk
Brown	Filley	Hubbs	Norton	Voss
Buckley	Foley C F	Hurd	O'Brian	Waddell
Burhyte	Foley J A	Huth	Oliver	Wagner
Burns	Fowler	Jackson	Parker	Wainwright
Cavanaugh	Francis	Jacobs	Patton	Waters
Chamberlain	Frisbie	Lansing	Phillips	Weber
Cole	Ganly	Lee	Prentice	Weimert
Collins	Garbe	Lewis	Ralston	Wells
Colné	Geoghagan	Loos	Reece	West
Conklin	Glore	Lowe	Robinson	Whitley
Conrad	Glynn	Lupton	Rogers	Whitney F G
Croak	Goldberg	Maher	Schmidt	Whitney G H
Cunningham	Gray	Mallon	Schoeneck	Winters
Cuvillier	Green	Marlatt	Schulz	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dominy	Hackett	Mead	Sheridan	Young
Donnelly	Haines	Merritt		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Senate bill (No. 1224, Assembly reprint No. 2542, Rec. No. 263) entitled "An act to provide for preserving the waters of the Bronx river from pollution, creating a reservation of the lands on either side of the river; authorizing the taking of lands for that purpose and providing for the payment thereof, and appointing a commission to carry out the purposes of the act," with a message that they have nonconcurred in the amendments of the Assembly thereto, and request the appointment of a committee of conference thereon.

Mr. Duell moved to concur in the request of the Senate for a committee of conference thereon.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker appointed Messrs. Wainwright, Duell, Conklin, Francis and Schmidt as such committee on behalf of the Assembly.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the request for a conference committee thereon, and that Mr. Speaker has appointed Messrs. Wainwright, Duell, Conklin, Francis and Schmidt as such committee on behalf of the Assembly.

The Senate returned the Assembly bill (No. 2312, Senate reprint No. 1667, Int. No. 1587) entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations," with a message that they have concurred in the passage of the same, with the following amendments:

Strike out all after the enacting clause and insert Senate bill (No. 1667).

Said bill having been announced, Mr. Moreland moved to non-concur in the amendments of the Senate thereto and request the appointment of a committee of conference thereon.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker appointed as such committee on behalf of the Assembly, Messrs. Moreland, Rogers, Patton, Merritt and Oliver.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have nonconcurred in the amendments of the Senate thereto, and that the Speaker has appointed Messrs. Moreland, Rogers, Patton, Merritt and Oliver as such committee on behalf of the Assembly.

The Senate returned the Assembly bill (No. 1643, Senate re-print No. 1616, Int. No. 906) entitled "An act to amend the Forest, Fish and Game Law, relative to close season for deer in certain counties," with a message that they have concurred in the passage of the same, with the following amendments:

On page 2, line 4, insert a bracket before "Ulster" and after the word "and" following "Ulster" same line.

Same page, line 8, after "Sullivan" insert "Ulster".

Mr. G. H. Whitney moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Miller	Sinclair
Averill	Draper	Hamilton	Mills	Smith A E
Baldwin	Dudley	Hammond	Mooney	Smith C
Baumann	Duell	Hamn	Moreland	Smith Myron
Blue	Eagleton	Harris	Morgan	Stern
Boshart	Eggleston	Hart	Murphy G W	Stevenson
Brady	Eichhorn	Hastings	Nevins	Surpluss
Brooks	Farrell	Hoey	Newton	Todd
Brough	Ferguson	Holmes	Northrup	Volk
Brown	Feth	Hooper	Norton	Voss
Buckley	Filley	Hubbs	O'Brian	Waddell
Burhyte	Foley C F	Hurd	Oliver	Wagner
Burns	Foley J A	Huth	Parker	Wainwright
Cavanaugh	Fowler	Jackson	Patton	Waters
Chamberlain	Francis	Jacobs	Phillips	Weber
Cole	Frisbie	Lansing	Prentice	Weimert
Collins	Ganly	Lee	Ralston	Wells
Colné	Garbe	Lewis	Reece	West

Conklin	Geoghagan	Loos	Robinson	Whitley
Conrady	Glore	Lowe	Rogers	Whitney F G
Croak	Glynn	Lupton	Schmidt	Whitney G H
Cunningham	Goldberg	Maher	Schoeneck	Winters
Cuvillier	Gray	Mallon	Schulz	Wood
De Groot	Green	Marlatt	Schwegler	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	Merritt	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, May 21, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for transmission to the mayor of the city of Buffalo Assembly bill (No. 1639, Int. No. 964) entitled "An act to amend chapter five hundred and fifty-two of the laws of eighteen hundred and seventy-five, entitled 'An act in relation to habitual drunkards, vagrants and prostitutes in the county of Erie,' relative to commitments to the Salvation Army Rescue Home."

CHARLES E. HUGHES.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Buffalo.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, May 7, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 529, Int. No. 513) entitled "An act to enable the police commissioner of the city of New York to rehear and determine the charges against Richard Dillon, a policeman of the second grade, for reinstatement in said department.

CHARLES E. HUGHES.

A communication was received from Hon. W. H. Baker, mayor of the city of Lockport, returning Assembly bill (No. 2297, Int. No. 1672) entitled "An act authorizing the city of Lockport to issue bonds, for the purpose of acquiring real property for a site for a public market and constructing the same," with a message that said mayor and the common council of said city, after a public hearing thereon, do not approve said bill and do not accept the same.

Mr. Speaker stated the question to be, "Shall this bill pass notwithstanding the objections of the mayor and the common council, the legislative body of the city of Lockport, thereto," and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

AYES 82

NOES 1

Those who voted in the affirmative were:

Averill	Dobbs	Goldberg	Loos	Schmidt
Blue	Dominy	Gray	Lowe	Schoeneck
Bohan	Dowling	Green	Maher	Schulz
Boshart	Duell	Gunderman	Merritt	Schwegler
Brooks	Eagleton	Hackett	Miller	Shuttleworth
Brough	Eichhorn	Haines	Murphy C F	Smith A E
Brown	Fay	Hammond	Murphy G W	Smith C
Burhyte	Filley	Hamn	Norton	Stanton
Burzynski	Foley C F	Harris	Patton	Voss
Cole	Foley J A	Hastings	Phillips	Waddell
Collins	Fowler	Hoey	Prentice	Wagner
Colne	Francis	Holmes	Prince	Wainwright
Conklin	Ganly	Hubbs	Ralston	Waters
Conrady	Geoghagan	Hurd	Reece	Wood
Croak	Glore	Keller	Robinson	Yale
Cuvillier	Gluck	Lansing	Rogers	Young
De Groot	Glynn			

In the negative:

Oliver

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Rogers offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of As-

sembly bill (No. 2124, Int. No. 1496) entitled "An act to amend chapter two hundred and ninety-four of the laws of eighteen hundred and sixty-nine, entitled 'An act to incorporate the fire department of the city of Binghamton,' relative to appointment of officers and salaries of treasurer and clerk," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Duell offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 2118, Int. No. 1412) entitled "An act to amend chapter one hundred and eighty-two of the laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' relative to the appointment of a deputy commissioner of public works and the submission of a proposition therefor," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Pursuant to resolution, the Senate returned the bill (No. 1887, Int. No. 1474) entitled "An act to annex to union free school district number twenty-one of the town of Hempstead, Nassau county, a part of the territory of union free school district number eleven of the town of Hempstead."

The Senate returned the Assembly bill (No. 1642, reprint No. 2679, Int. No. 745) entitled "An act to amend chapter one hundred and ninety-four of the Laws of eighteen hundred and ninety-seven, entitled 'An act creating a commissioner of jurors for each county of the State having a population of more than one hundred and fifty thousand and less than one hundred and ninety thousand and regulating and prescribing his duties,' relative to clerk hire and drawing of jurors," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the Assembly bill (No. 2041, reprint No. 2701, Int. No. 1173) entitled "An act to amend chapter seven hundred and forty-seven of the Laws of eighteen hundred and ninety-six, entitled 'An act to revise and consolidate the several acts in relation to the city of Kingston, to revise the charter of said city, and to establish a city court therein and define its jurisdiction and powers,' generally," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Kingston.

The Senate returned the Assembly bill (No. 2009, Senate reprint No. 1589, Int. No. 1534) entitled "An act authorizing and empowering the board of estimate and apportionment of the city of New York, in its discretion, to take action relative to the necessary expenses incurred in relation to acquiring title to property at the foot of Housman avenue, borough of Richmond, city of New York."

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the Assembly bill (No. 1569, Senate reprint No. 1609, Int. No. 1206) entitled "An act to amend the Greater New York charter, in relation to salary of city marshals."

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the Assembly bill (No. 1506, Senate reprint No. 1568, Int. No. 1017) entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain assessments upon certain real property of the Trinity Methodist Episcopal Church and the Church of Saint Mary Star of the Sea in said city."

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the Assembly bill (No. 2433, Senate reprint No. 1605, Int. No. 1739) entitled "An act to amend chapter four hundred and seventy-nine of the Laws of nineteen hundred and three, entitled 'An act for the improvement and repair of

streets and roads in Yonkers that have existed as public streets for twenty years, and to issue bonds for the payment thereof.' ”

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Yonkers.

The Senate returned the Assembly bill (No. 2294, Senate reprint No. 1602, Int. No. 1669) entitled “An act to amend the State Charities Law, in relation to the membership of the State Board of Charities.”

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the Assembly bill (No. 2719, Senate reprint No. 1738, Int. No. 1085) entitled “An act to establish the public service commissions and prescribing their powers and duties, and to provide for the regulation and control of certain public service corporations and making an appropriation therefor.”

Also, Assembly bill (No. 1643, Senate reprint No. 1616, Int. No. 906) entitled “An act to amend the Forest, Fish and Game Law, relative to close season for deer in certain counties.”

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 2118, Int. No. 1412) entitled “An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled ‘An act to incorporate the city of Mount Vernon,’ relative to the appointment of a deputy commissioner of public works and the submission of a proposition therefor,” with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication was received from Hon. Edward F. Brush, mayor of the city of Mount Vernon, returning Assembly bill (No. 2092, Int. No. 1411) entitled “An act to provide for the election of a president of the common council of the city of Mount Vernon, defining his duties and fixing his salary,” with a message that said mayor and the common council of said city, after a public hearing thereon, do not approve said bill and do not accept the same.

A communication was received from Hon. Geo. B. McClellan,

mayor of the city of New York, returning Assembly bill (No. 947, Int. No. 419) entitled "An act authorizing the board of taxes and assessments in the city of New York to cancel and annul certain unpaid taxes upon the real estate in said city belonging to the Friendly Aid Society," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

A communication was received from Hon. Rogene Walwrath, mayor of the city of Little Falls, returning Assembly bill (No. 473, Int. No. 460) entitled "An act authorizing and requiring the payment of the tax on foreign fire insurance corporations collected and received by the treasurer of the city of Little Falls, New York, under section one hundred and thirty-three of the Insurance Law, to the treasurer of the Exempt Firemen's Association of the city of Little Falls, New York," with a message that said mayor and the common council of said city, after a public hearing thereon, do not approve said bill and do not accept the same.

A communication was received from Hon. Jared T. Newman, mayor of the city of Ithaca, returning Assembly bill (No. 2545, Int. No. 1689) entitled "An act to amend chapter three hundred and fifty-eight of the Laws of eighteen hundred and ninety-three, entitled 'An act to provide for the support of the poor in the city of Ithaca,' relative to providing funds for the board of health," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Jared T. Newman, mayor of the city of Ithaca, returning Assembly bill (No. 2546, Int. No. 1690) entitled "An act to amend chapter two hundred and twelve of the Laws of eighteen hundred and eighty-eight, entitled 'An act to incorporate the city of Ithaca,' generally," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Henry S. Clarke,

mayor of the city of New Rochelle, returning Assembly bill (No. 2306, Int. No. 1538) entitled "An act to amend chapter two hundred and thirty-six of the Laws of nineteen hundred and five, entitled 'An act to authorize the common council of the city of New Rochelle to procure an assessment map of said city, and to issue bonds in payment therefor,' relative to the rate of interest to be paid on bonds," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Henry S. Clarke, mayor of the city of New Rochelle, returning Assembly bill (No. 2307, Int. No. 1537) entitled "An act to amend chapter five hundred and forty-six of the Laws of nineteen hundred and six, entitled 'An act to authorize the common council of the city of New Rochelle to issue and sell bonds of said city for the uses and purposes of the fire department of said city,' relative to the rate of interest to be paid on bonds," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Henry S. Clarke, mayor of the city of New Rochelle, returning Assembly bill (No. 2268, Int. No. 1536) entitled "An act to amend chapter four hundred and seventy-one of the Laws of nineteen hundred and five, entitled 'An act to authorize the city of New Rochelle to borrow money for street improvements and issue bonds therefor,' relative to the rate of interest to be paid on bonds," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Richard M. Prangen, mayor of the city of Hornell, returning Assembly bill (No. 2635, Int. No. 1290) entitled "An act to amend chapter two hundred and eighty-eight of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Hornellsville and to change the name thereof,' generally," with a message that

said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Arthur P. Rose, mayor of the city of Geneva, returning Assembly bill (No. 2568, Int. No. 1803) entitled "An act to amend chapter three hundred and sixty of the Laws of eighteen hundred and ninety-seven, entitled 'An act to incorporate the city of Geneva,' in relation to bonds and taxation for extraordinary expenditures," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. James N. Adam, mayor of the city of Buffalo, returning Assembly bill (No. 2336, Int. No. 1694) entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' relating to the official printing of said city," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Jared T. Newman, mayor of the city of Ithaca, returning Assembly bill (No. 2084, Senate reprint No. 1490, Int. No. 1571) entitled "An act to amend chapter one hundred and eighty-one of the Laws of nineteen hundred and three, entitled 'An act to establish and maintain a water department in and for the city of Ithaca,'" with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. John H. Coyne, mayor of the city of Yonkers, returning Assembly bill (No. 2158, Int. No. 1599) entitled "An act to establish a pension fund for the paid fire department of the city of Yonkers," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. John H. Coyne, mayor of the city of Yonkers, returning Assembly bill (No. 2205, Int. No. 1487) entitled "An act to abolish the board of park commissioners in and for the city of Yonkers," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. John H. Coyne, mayor of the city of Yonkers, returning Assembly bill (No. 2156, Int. No. 1597) entitled "An act to authorize the common council of the city of Yonkers to establish sewage disposal plants in the Seventh ward, as now established, in the city of Yonkers and to empower the common council of said city to raise the necessary funds therefor," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Charles O. Cross, mayor of the city of Johnstown, returning Assembly bill (No. 2144, Int. No. 1253) entitled "An act to amend chapter five hundred and ninety-three of the Laws of nineteen hundred and five, entitled 'An act to revise the charter of the city of Johnstown,' generally," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Eugene Beach, mayor of the city of Gloversville, returning Assembly bill (No. 2000, Int. No. 1350) entitled "An act to amend chapter two hundred and seventy-five of the Laws of eighteen hundred and ninety-nine, entitled 'An act to revise the charter of the city of Gloversville,' in relation to the appointment of city physicians," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Eugene Beach, mayor of the city of Gloversville, returning Assembly bill (No. 1709, Int. No. 1351) entitled "An act to amend chapter two hundred

and seventy-five of the Laws of eighteen hundred and ninety-nine, entitled 'An act to revise the charter of the city of Gloversville,' giving the common council authority to make an annual appropriation to the Nathan Littauer Hospital Association," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Alan C. Fobes, mayor of the city of Syracuse, returning Assembly bill (No. 1263, Senate reprint No. 1567, Int. No. 661) entitled "An act in relation to gas and electricity in the city of Syracuse," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. George B. McClellan, mayor of the city of New York, returning Assembly bill (No. 1595, Int. No. 1122) entitled "An act to amend chapter four hundred and ten of the Laws of eighteen hundred and eighty-two, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the compensation of the deputy clerks, assistant clerk, record clerks and attendants of the Court of General Sessions of the Peace in and for the county of New York," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Messrs. Todd of Queens and Dudley of Cayuga were excused until Monday next.

On motion of Mr. Moreland, the House adjourned.

THURSDAY, MAY 23, 1907.

The House met pursuant to adjournment.

Mr. Mead in the chair.

Prayer by Rev. Edward R. James, Rensselaer.

On motion of Mr. Rogers, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. Speaker presented the Eighth Annual Report of the State Architect, which was laid upon the table and ordered printed.

(See Document No. 63.)

Mr. Rogers gives notice that he requests that the Senate bill (No. 1285, Rec. No. 298) entitled "An act to revise the charter of the city of Binghamton," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Moreland gives notice that he requests that the Senate bill (No. 1461, Rec. No. 348) entitled "An act to amend chapter three hundred and thirty-eight of the Laws of eighteen hundred and ninety-four, entitled 'An act relating to canals, constituting chapter thirteen of the general laws,' in relation to the general powers and duties of the Superintendent of Public Works," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Merritt gives notice that he requests that Assembly bill (No. 1035, Int. No. 244) entitled "An act to amend the Forest, Fish and Game Law, relative to licenses," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making th said bill a special order on second and third reading.

Mr. C. F. Murphy gives notice that he requests that Assembly bill (No. 2666, Int. No. 1850) entitled "An act to amend chapter nine hundred and nine of the Laws of eighteen hundred and ninety-six, entitled 'An act in relation to the election, constituting chapter six of the general laws,' generally," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

The Senate sent for concurrence the following entitled bills:

"An act to amend and consolidate the several acts relating to the department of public instruction in the city of Utica, New York" (No. 1529, Rec. No. 412), which was read the first time and referred to the committee on affairs of cities.

²An act to amend chapter three hundred and forty-eight of the

Laws of eighteen hundred and eighty-five, entitled 'An act to authorize the appointment of stenographers for grand juries, and to fix the compensation of such stenographers,' relative to the appointment of stenographers to take evidence before grand juries and at coroners' inquests and examinations and trials of criminal cases" (No. 1665, Rec. No. 413), which was read the first time and referred to the committee on codes.

"An act to amend chapter one hundred and forty-seven of the Laws of nineteen hundred and three, entitled 'An act making provision for issuing bonds to the amount of not to exceed one hundred and one million dollars for the improvement of the Erie canal, the Oswego canal and the Champlain canal, and providing for a submission of the same to the people to be voted upon at the general election to be held in the year nineteen hundred and three,' as amended by chapter seven hundred and forty of the Laws of nineteen hundred and five, relative to the route of the improved Erie canal" (No. 1558, Rec. No. 414), which was read the first time and referred to the committee on canals.

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the Argus Company, of Albany, New York, against the State for damages alleged to have been sustained by them and to render judgment therefor" (No. 1326, Rec. No. 415), which was read the first time and referred to the committee on claims.

"An act to amend the Domestic Commerce Law, relative to the sale of oats in bags in the city of New York" (No. 1472, Rec. No. 416), which was read the first time and referred to the committee on agriculture.

"An act to legalize the acts of Conrad F. Dietrick, a notary public" (No. 1403, Rec. No. 417), which was read the first time and referred to the committee on the judiciary.

"An act to incorporate the United Fellowship of Good Samaritans" (No. 1664, Rec. No. 418), which was read the first time and referred to the committee on the judiciary.

"An act to amend the Insurance Law, relating to permitting the incorporation of beneficiary societies, orders or associations of persons in the service of the same employer, for the purpose of furnishing relief to members in case of sickness, disability or

death " (No. 1322, Rec. No. 419), which was read the first time and referred to the committee on insurance.

"An act to amend section six hundred and eighty-seven-a of the Penal Code, relative to sentencing prisoner " (No. 1532, Rec. No. 420), which was read the first time and referred to the committee on codes.

"An act to amend the Greater New York charter, in relation to text books and scholastic supplies, grades of schools and classes, courses of study and method of teaching " (No. 1530, Rec. No. 421), which was read the first time and referred to the committee on affairs of cities.

"An act to authorize the commissioner of docks and ferries of the city of New York, in his discretion, to rehear the charges upon which Henry Head, formerly an engineman in the department of docks and ferries, was dismissed from the said department in the year nineteen hundred and five, and in his discretion to reinstate the said Henry Head to the position formerly held by him " (No. 1131, Rec. No. 422), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter four hundred and ten of the Laws of eighteen hundred and eighty-two, as amended by chapter six hundred and ninety-six of the Laws of eighteen hundred and ninety-five, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relative to assistant district attorneys in the county of New York " (No. 1610, Rec. No. 423), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Greater New York charter, in relation to the apportionment of assessments " (No. 1205, Rec. No. 424), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Cuvillier introduced a bill entitled "An act to prevent the incorporation of trusts or companies in restraint of trade and commerce " (Int. No. 1935), which was read the first time and referred to the committee on the judiciary.

By unanimous consent, Mr. West introduced a bill entitled "An act to amend chapter one hundred and fifteen of the Laws of eighteen hundred and ninety-eight, entitled 'An act to provide

for the improvement of the public highways,' in relation to the payment of the cost of construction" (Int. No. 1936), which was read the first time and referred to the committee on internal affairs.

Also, by unanimous consent, "An act to amend chapter four hundred and sixty-nine of the Laws of nineteen hundred and six, entitled "An act to provide for issuing of bonds of the State for the improvement of highways and making an appropriation therefor,' generally" (Int. No. 1937), which was read the first time and referred to the committee on ways and means.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill introduced by Mr. Hinman (No. 1285, Rec. No. 298), entitled "An act to revise the charter of the city of Binghamton," reported in favor of the passage of the same, with the following amendments:

Page 11, line 3, strike out the words " , after the first appointment,".

Page 15, line 21, strike out the words " ; of the city clerk, sixteen hundred ".

All of lines 22, 23 and 24 down to and inclusive of the word "dollars,".

Page 16, line 7, after the word "appointed" insert "Every resolution fixing or changing a salary shall be published, after its introduction and before being finally acted upon, in one or more newspapers in the city once a week for four successive weeks".

Page 72, line 7, after the word "clerk" strike out the words "at a compensation of not exceeding fifty dollars per month".

Page 185, line 25, after the word "by" insert "the fire commissioner with the approval of"; also page 185, line 25, and line 1 of page 186, strike out the words "not to exceed the sum of fifteen hundred dollars per year".

Page 186, line 6, after the word "the" insert "fire commissioner subject to the approval of the"; same page, same line, and from line 7; strike out the words "not to exceed the sum of four hundred dollars per year each".

Page 186, line 16, after the word "by" insert "the fire commissioner subject to the approval of".

Same page, line 17, strike out the words "not to exceed nine hundred dollars per year".

Page 187, line 3, between the word "the" and "board" insert "fire commissioner subject to the approval of the".

Page 203, line 13, after the word "the" insert "commissioner of police subject to the approval of the".

Page 203, line 16, strike out the words "in the same"; also all of lines 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26, and lines 1, 2 and 3 of page 204.

Page 211, line 10, after the word "convention" insert the words "in the city of Binghamton".

Page 225, line 15, after the word "salary" strike out the words "of nine hundred dollars per year" and insert the words "to be approved by the board of estimate and apportionment."

Page 229, strike out lines 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and line 19 to and inclusive of the word "consequence".

Page 239, line 24, strike out from end of line the word "of" and from line 25 the words "nine hundred dollars" and insert "to be fixed by the board of estimate and apportionment."

Page 240, line 9, strike out from end of line the word "of" and from line 10, the words "fifty dollars per month" and insert "to be fixed by the board of estimate and apportionment".

Page 262, line 22, strike out the words "abolishment of existing board of education" and insert "existing board of education continued".

Page 264, after "§ 384" strike out the lines 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and from line 22 "ment for the balance of the term" and insert in place thereof "Existing board of education continued; appointment of commissioners of education; filling of vacancies; oath of office.— The existing board of education of the city of Binghamton with its successors shall continue to be a body corporate in relation to the powers and duties conferred by this act and otherwise by general laws of the state and the commissioners therefor now in office shall continue in office until the expiration of their respective terms, and they and their successors shall serve without compensation. The vacancies occurring in said board by the expiration of the terms of the commissioners whose terms expire on the first day of February, nineteen hundred and eight, and the first day of February, nineteen hundred and nine, shall not be filled, and after February first, nineteen hundred and nine, said board shall consist of but five members. On the first day of January, nineteen hundred and ten, and on each first day of January thereafter the mayor shall appoint one commissioner of education for the term of five years from the first day of February next after his appointment, and whenever a vacancy shall exist, other than in the office of the commissioners whose terms expire February first, nineteen hundred and eight, and February first, nineteen hundred and nine, the mayor shall fill such vacancies by appointment for the balance of the term."

Page 265, line 12, strike out the word "second" and insert in place thereof the word "first".

In same line strike out the word "January" and insert in place thereof "February".

Page 265, line 24, strike out the word "of" from end of line and on page 266, line 1, strike out the words "not exceeding twelve hundred dollars per annum".

Page 268, line 13, after the word "but" insert "nothing herein contained shall be deemed to authorize the board of estimate and apportionment or the common council to increase or decrease the salary of any individual teacher or employee of the department of education".

Page 268, line 13, commence the word "the" with a capital.

and that the same be reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after consideration of the special orders on third reading theretofore reported, which report was agreed to, and said bill ordered reprinted as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported.

A message from the Governor was received and read, in words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it:

Therefore, in accordance with the provisions of section 15 of article 3 of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Senate bill, Int. No. 517, entitled "An act to revise the charter of the city of Binghamton," as amended in the Assembly.

Given under my hand and the Privy Seal of the State at the Capitol in the city of Albany, this twenty-third day of May, in the year of our Lord one thousand nine hundred and seven.

CHARLES E. HUGHES.

By the Governor.

ROBERT H. FULLER;

Secretary to the Governor.

Said bill having been announced, on motion of Mr. Rogers said bill was read the second time and ordered to a third reading.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, the necessity for the immediate passage of the same having been certified by the Governor, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 107

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hamilton	Merritt	Sheridan
Averill	Duell	Hammond	Mills	Shuttleworth
Baldwin	Eggleston	Hamn	Moreland	Sinclair
Baumann	Eichhorn	Harris	Morgan	Smith C
Blue	Farrell	Hart	Murphy C F	Smith Myron
Boshart	Ferguson	Hoey	Murphy G W	Staley
Brady	Feth	Holmes	Nevins	Stevenson
Brown	Filley	Hooper	Newton	Surpless
Buckley	Foley C F	Hubbs	Norton	Volk
Burhyte	Fowler	Hurd	O'Brian	Voss
Burns	Francis	Jacobs	Oliver	Waddell
Cavanaugh	Frisbie	Keller	Parker	Wagner
Chamberlain	Ganly	Lansing	Patton	Walters
Cole	Garbe	Lewis	Phillips	Waters
Colné	Glore	Lowe	Prince	Weimert
Conklin	Gluck	Lupton	Ralston	West
Conrad	Glynn	Maher	Reece	Whitley
Cunningham	Goldberg	Mallon	Rogers	Whitney F G
De Groot	Gray	Marlatt	Schmidt	Whitney G H
Dominy	Green	Matthews	Schoeneck	Winters
Donnelly	Gunderman	Mead	Schulz	Yale
Dowling	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill introduced by committee on finance (No. 1461, Rec. No. 348), entitled "An act to amend chapter three hundred and thirty-eight of the Laws of eighteen hundred and ninety-four, entitled 'An act relating to canals, constituting chapter thirteen of the general laws,' in relation to the general powers and duties of the Superintendent of Public Works," reported in favor of the passage of the same, with the following amendment:

Page 2, line 7, after the word "persons" insert the words "other than engineers".

and that the same be reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after consideration of the special orders on third reading theretofore reported.

Which report was agreed to, and said bill ordered reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Merritt (No. 1035, Int. No. 244), entitled "An act to amend the Forest, Fish and Game Law, relative to licenses," retaining its place on the order of third reading, reported in favor of the passage of the same, with the following amendments:

Page 3, line 11, after the words "sum of" strike out "one dollar" and insert in place thereof "fifty cents".

Page 4, line 10, after the word "land" insert: "and their immediate family or families occupying and cultivating the same,".

Page 4, line 10, after the word "thereof" insert: "and their immediate family or families who are actually occupying and cultivating the same,".

and that the same be reprinted, as amended, and re-engrossed, and that when it shall have been on the desks of the members three calendar days it be made a special order on third reading immediately, which report was agreed to, and said bill ordered reprinted as amended and re-engrossed, and when it shall have been on the desks of the members three calendar legislative days it be made a special order on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. C. F. Murphy (No. 2666, Int. No. 1850), entitled "An act to amend chapter nine hundred and nine of the Laws of eighteen hundred and ninety-six, entitled 'An act in relation to the elections, constituting chapter six of the general laws,' generally," reported the same with the following amendments:

Page 9, line 1, to page 12, line 21, inclusive, strike out all of page 9, beginning with line 1, to page 12, line 21, inclusive.

Page 12, line 22, strike out the figure 6, and insert in place thereof the figure 5 at the beginning of the line.

Page 14, line 11, strike out the figure 7, and insert in place thereof figure 6, at beginning of the line.

Page 15, line 1, strike out the word "twelve" and insert in place thereof the word "nine" in italics.

Page 15, line 15, strike out the word "twelve" and insert in place thereof the word "nine" in italics.

Page 17, line 12, strike out the word "eleven" and insert in place thereof the word "eight" in italics.

Page 20, beginning with line 16, strike out all matter to and including line 16, page 26.

Page 26, line 17, strike out the figure "9" at beginning of line and insert in place thereof figure "7".

Page 28, line 24, strike out the figures "10" at beginning of said line and insert in place thereof figure "8".

Page 31, line 23, strike out figures "11" at beginning of said line and insert in place thereof figure "9".

Page 34, line 6, strike out figures "12" at the beginning of said line and insert in place thereof figures "10".

Page 42, line 18, strike out figures "13" at beginning of said line and insert in place thereof figures "11".

Page 46, line 4, strike out figures "14" at beginning of said line and insert in place thereof figures "12".

Page 47, line 24, strike out figures "15" at beginning of said line and insert in place thereof figures "13".

Page 52, line 1, strike out figures "16" at beginning of said line and insert in place thereof figures "14".

Page 53, line 12, strike out figures "17" at the beginning of said line and insert in place thereof figures "15".

Page 54, line 13, strike out the bracket between the word "board" and the word "and".

Page 54, line 15, strike out the bracket after the word "Borough" in said line.

Page 55, line 24, strike out the figures "18" at the beginning of said line and insert in place thereof the figures "16".

Page 57, line 18, strike out the figures "19" from beginning of said line and insert in place thereof the figures "17".

and requests that said bill be reprinted, as amended, and recommitted to said committee, which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. West, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to incorporate the 'Tiffany Employes' Benefit Association.' " (No. 2765, Int. No. 1895.)

"An act to amend the Forest, Fish and Game Law, relative to the close season for plover and other birds." (No. 2783, Rec. No. 315.)

"An act to amend chapter one hundred and forty-six of the Laws of eighteen hundred and fifty-six, entitled 'An act authorizing the construction of a bridge across the Hudson river at Albany,' and chapter seven hundred and seventy-nine of the Laws of eighteen hundred and sixty-nine, entitled 'An act to amend the charter of the Hudson River Bridge Company,' in relation to tolls charged and collected for the use of such bridges." (No. 2732, Rec. No. 327.)

"An act to legalize, ratify and confirm the proceedings of the electors and board of education of union free school district number one of the town of Schroon, in the county of Essex, relative to the levy of taxes, and the issuance and sale of bonds." (No. 2779, Int. No. 1903.)

"An act to empower the board of assessors of the city of New York to fix, determine and allow the amount of damages sustained to certain real property in said city, in consequence of the change of grade of Meserole avenue between Diamond and Newall streets, borough of Brooklyn, city of New York." (No. 2734, Int. No. 1878.)

"An act to amend chapter five hundred and sixty-six of the Laws of eighteen hundred and ninety, entitled 'An act in relation to transportation corporations excepting railroad, constituting chapter forty of the general laws,' in relation to town contracts with water corporations." (No. 2777, Int. No. 1856.)

"An act in relation to the acquisition by the United States of America of land for fortification purposes which includes a highway or portions thereof." (No. 2762, Int. No. 1892.)

"An act to amend the Lien Law, in relation to filing of contracts and orders for public improvements." (No. 2628, Int. No. 1837.)

"An act to establish a ferry from the highway which runs about forty rods south of Bright's station, in the county of Washington, across Lake Champlain." (No. 2690, Int. No. 1864.)

"An act to amend chapter five hundred and forty-nine of the Laws of eighteen hundred and seventy-four, entitled 'An act to provide for the planting and protection of oysters in those portions of the Great South bay lying in the town of Islip, Suffolk county, wherein the taking of clams cannot be profitably followed as a business,' in relation to allotments of portions of such bay." (No. 2743, Int. No. 1883.)

A message from the Governor, by the hand of his secretary, was received and read, in words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,
ALBANY, May 23, 1907.

To the Legislature:

In my first message to the Legislature I recommended that provision be made for a recount of the votes cast for mayor at the municipal election in New York City in 1905. The reasons for this recommendation were fully stated. The doubt that exists as to the result of that election should be dispelled and the demands of justice with reference to a matter of fundamental importance should be satisfied.

There is no reason why a grievance should be fostered because the law, supposed to be adequate, has been found defective and provision for a summary recount is wanting. This lack the Legislature is competent to supply.

A bill providing for the recount has passed the Assembly and I respectfully urge its passage by the Senate. The measure is neither for nor against any one, but is simply in the public interest in order to provide the means for settling a matter which all should desire to place beyond controversy. The importance of the question increases rather than diminishes with the lapse of time, and it should be promptly disposed of.

It has been suggested that it will be necessary, under the constitutional provision, to submit the bill to the mayor of the city. Without attempting to deal with this matter at length, I may say that in my judgment that course should be taken.

And, in view of the urgency of the matter, I recommend that the Legislature postpone final adjournment until after the bill becomes a law.

CHARLES E. HUGHES.

On motion of Mr. Rogers, said message was laid upon the table.

A message from the Governor, by the hand of his secretary, was received and read, in words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, May 23, 1907.

To the Assembly:

I return herewith, without my approval, Assembly bill (No. 1296, Senate reprint No. 1348) entitled "An act prohibiting the board of supervisors of the county of Madison from changing the site and location of the Madison county buildings and offices when the site and location of the same shall be designated and approved by a majority of the electors of said county."

This bill provides that whenever hereafter a majority of the electors of Madison county shall vote in favor of the removal of the Madison county buildings and Madison county offices to any site or location, the board of supervisors shall not change the said site or location. In other words, the Legislature by special act fixes the location at the place designated by the electors and the matter is removed from the operation of the general law relating thereto.

This, in my judgment, is a violation of the intent of section 18 of article 3 of the Constitution, which provides that the Legislature shall not pass a local bill locating a county seat.

If the Legislature cannot by special law directly locate a county seat, it would seem that it cannot by special law provide that the electors shall locate a county seat, and make their location final.

CHARLES E. HUGHES.

On motion of Mr. Rogers, said bill, together with said message, were ordered laid upon the table.

Pursuant to resolution, the Senate returned Senate bill (No. 1368, Assembly reprint No. 2724, Rec. No. 349) entitled "An act to amend chapter three hundred and thirty-four of the Laws of nineteen hundred and one, entitled 'An act in relation to tenement houses in cities of the first class,' as heretofore amended, in relation to measuring the height of tenement houses fronting on a part of Riverside avenue, in the city of New York."

Said bill having been announced, Mr. Francis moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 107

NOES 00

Those who voted in the affirmative were:

Apgar	Duell	Hammond	Mills	Shuttleworth
Averill	Eggleston	Hamn	Moreland	Sinclair
Baldwin	Eichhorn	Harris	Morgan	Smith C
Baumann	Farrell	Hart	Murphy C F	Smith Myron
Blue	Ferguson	Hoey	Murphy G W	Staley
Boshart	Feth	Holmes	Nevins	Stevenson
Brady	Filley	Hooper	Newton	Surpless
Brown	Foley C F	Hubbs	Norton	Volk
Buckley	Fowler	Hurd	O'Brian	Voss
Burhyte	Francis	Jacobs	Oliver	Waddell
Burns	Frisbie	Keller	Parker	Wagner
Cavanaugh	Ganly	Lansing	Patton	Walters
Chamberlain	Garbe	Lewis	Phillips	Waters
Cole	Glore	Lowe	Prince	Weimert
Colné	Gluck	Lupton	Ralston	Wells
Conklin	Glynn	Maher	Reece	West
Conrady	Goldberg	Mallon	Rogers	Whitley
De Groot	Gray	Marlatt	Schmidt	Whitney F G
Dominy	Green	Matthews	Schoeneck	Whitney G H
Donnelly	Gunderman	Mead	Schulz	Winters
Dowling	Haines	Merritt	Sheridan	Yale
Draper	Hamilton			

Mr. Francis moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

In title strike out the word "avenue" and insert the word "Drive".

On page 1, line 7, strike out the word "avenue" and insert "Drive".

On page 2, line 3, strike out the word "avenue" and insert "drive". Same page, line 5, strike out the word "avenue" and insert "drive". Same page, line 7, strike out the word "avenue" and insert "drive". Same page, line 10, strike out the word "avenue" and insert "drive".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Dowling, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Wells offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 919, Int. No. 547) entitled "An act to enable the fire commissioner of

the city of New York to rehear and determine the charges against William W. Weise, fireman of the first grade, for reinstatement in said department," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Yale offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 1618, Int. No. 1308) entitled "An act to amend chapter one hundred and fourteen of the laws of nineteen hundred and four, entitled 'An act to release to the owners of the fee certain minerals and mining rights acquired by the state by confiscation and by reason of alienage of the former owners thereof, in the county of Putnam,' relative to the release of such minerals and mining rights acquired by the state by purchase," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. C. F. Murphy offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 199, Senate reprint 1024, Int. No. 199) entitled "An act to authorize the board of estimate and apportionment of the city of New York in its discretion to examine into the facts concerning the services rendered by Hector McNeile as clerk to a coroner of Kings county, and to provide for the payment of such claim," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Waters offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 870, Senate reprint 1221, Int. No. 805) entitled "An act to provide for the paving and improvement of certain streets in the village

of Green Island, Albany county, New York, and to provide for the method and means of paying therefor," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Moreland offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 836, Senate reprint No. 1335, Int. No. 771) entitled "An act making appropriations for the state charitable institutions, the New York state school for the blind, the Elmira reformatory, and the Eastern New York reformatory," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Weber offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 988, Int. No. 888) entitled "An act in relation to servers of jury notices in the office of the commissioner of jurors of the county of Kings," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the Assembly bill (No. 2312, Senate reprint No. 1667, Int. No. 1587) entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations," with a message that they have agreed to the request for a committee of conference thereon, and that the Temporary President has appointed Messrs. Armstrong, Allds and Mullany as such committee on behalf of the Senate.

The Senate returned the bill (No. 2001, Int. No. 1239) entitled "An act to amend chapter six hundred and eighty-four of

the Laws of nineteen hundred and five, entitled 'An act to supplement the provisions of law relating to the department of public works of the city of Syracuse,' " with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Syracuse.

The Senate returned the bill (No. 2427, Int. No. 1733), entitled "An act to amend chapter one hundred and eighty-eight of the Laws of nineteen hundred and six, entitled 'An act to authorize the city of Utica to construct a general system of storm water drainage, and to borrow money to pay for the same,' relative to the rate of interest to be paid on bonds," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Utica.

The Senate returned the bill (No. 1305, Int. No. 1100) entitled "An act to repeal section one hundred and forty-four of chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-eight, entitled 'An act for the government of cities of the second class,' relative to city streets," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 2554, reprint No. 2751, Int. No. 1734) entitled "An act to amend chapter one hundred and thirty-one of the Laws of nineteen hundred and seven, entitled 'An act to authorize the city of Utica to borrow money and issue bonds for the purpose of completing the changing of the channel of the Mohawk river between said city and the town of Deerfield, and to authorize the Superintendent of Public Works to accept said new channel,' relative to the rate of interest to be paid on bonds," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Utica.

The Senate returned the bill (No. 1325, Assembly reprint No. 2776, Int. No. 1120) entitled "An act to incorporate the Barry-

ville and Shohola Suspension Bridge Company in Sullivan county," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 1459, Assembly reprint No. 2754, Int. No. 837) entitled "An act to provide for a department of public instruction in the city of Syracuse," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Syracuse.

The Senate returned the bill (No. 1736, Assembly reprint No. 2752, Int. No. 1365) entitled "An act creating a board of public works in the city of New Rochelle, prescribing its powers and duties, conferring upon such board the duties of the commissioners of sewers, abolishing the office of city engineer and increasing the duties of superintendent of streets," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New Rochelle.

The Senate returned the bill (No. 1747, Assembly reprint No. 2753, Int. No. 1376) entitled "An act to amend chapter one hundred and twenty of the Laws of eighteen hundred and eighty-six, entitled 'An act to revise the charter of the city of Lockport,' generally," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Lockport.

The Senate returned the bill (No. 1050, Senate reprint No. 1262, Assembly reprint No. 2775, Int. No. 664) entitled "An act to amend the Election Law, in relation to changing election districts in certain towns."

Also, the bill (No. 1788, Senate reprint No. 1388, Assembly reprint No. 2774, Int. No. 1408) entitled "An act to amend the

Forest, Fish and Game Law, in relation to the close season for trout in Livingston county."

Also, the bill (No. 2016, reprint No. 2773, Int. No. 1541) entitled "An act in relation to the compensation of village officers of the village of Skaneateles," with a message that they have reconsidered their vote by which said bills passed, and, as amended, have again passed the same.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 2114, Int. No. 1025) entitled "An act to amend the Revised Statutes relative to the parole of prisoners from State prisons."

Also, the bill (No. 2762, Int. No. 1892) entitled "An act in relation to the acquisition by the United States of America of land for fortification purposes which includes a highway or portions thereof," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *May 23, 1907.*

Resolved (if the Assembly concur), That Senate bill No. 48, Rec. No. 47) entitled "An act to amend the railroad law, relative to the transportation of freight" be returned to the Governor.

By order of the Senate,

LAFAYETTE B. GLEASON,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 919, Int. No. 547) entitled "An act to enable the fire commissioner of the city of New York to rehear and determine the charges against William H. Weise, fireman of the first grade, for reinstatement in said department," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 1618, Int. No. 1308) entitled "An act to amend chapter one hundred and fourteen of the Laws of nineteen hundred and four, entitled 'An act to release to the owners of the fee certain minerals and mining rights acquired by the State by confiscation and by reason of alienage of the former owners thereof, in the county of Putnam,' relative to the release of such minerals and mining rights acquired by the State by purchase," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 199, Senate reprint No. 1024, Int. No. 199) entitled "An act to authorize the board of estimate and apportionment of the city of New York, in its discretion, to examine into the facts concerning the services rendered by Hector McNeile as clerk to a coroner of Kings county, and to provide for the payment of such claim," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 870, Senate reprint No. 1221, Int. No. 805) entitled "An act to provide for the paving and improvement of certain streets in the village of Green Island, Albany county, New York, and to provide for the method and means of paying therefor," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 836, Senate reprint No. 1335, Int. No. 771) entitled "An act making appropriations for the State charitable institutions, the New York State School for the Blind, the Elmira Reformatory, and the Eastern New York Reformatory," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No.

2124, Int. No. 1496) entitled "An act to amend chapter two hundred and ninety-four of the Laws of eighteen hundred and sixty-nine, entitled 'An act to incorporate the fire department of the city of Binghamton,' relative to appointment of officers and salaries of treasurer and clerk," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 988, Int. No. 888) entitled "An act in relation to servers of jury notices in the office of the commissioner of jurors of the county of Kings," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, *May 3, 1907.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 919, Int. No. 547) entitled "An act to enable the fire commissioner of the city of New York to rehear and determine the charges against William H. Weise, fireman of the first grade, for reinstatement in said department.

CHARLES E. HUGHES.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, *May 6, 1907.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1618, Int. No. 1308) entitled "An act to amend chapter one hundred and

fourteen of the Laws of nineteen hundred and four, entitled 'An act to release to the owners of the fee certain minerals and mining rights acquired by the state by confiscation and by reason of alienage of the former owners thereof, in the county of Putnam,' relative to the release of such minerals and mining rights acquired by the state by purchase."

CHARLES E. HUGHES.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,
ALBANY, May 1, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 199, Senate reprint No. 1024, Int. No. 199) entitled "An act to authorize the board of estimate and apportionment of the city of New York in its discretion to examine into the facts concerning the services rendered by Hector McNeile, as clerk to a coroner of Kings county, and to provide for the payment of such claim."

CHARLES E. HUGHES.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,
ALBANY, May 14, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 836, Senate reprint No. 1335, Int. No. 771) entitled "An act making appropriations for the state charitable institutions, the New York state school for the blind, the Elmira reformatory and the Eastern New York reformatory."

CHARLES E. HUGHES.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,
ALBANY, May 21, 1907.*To the Assembly:*

Pursuant to concurrent resolution of the Senate and Assembly herewith is returned for amendment Assembly bill (No. 870, Senate reprint No. 1221, Int. No. 805) entitled "An act to provide for the paving and improvement of certain streets in the village of Green Island, Albany county, New York, and to provide for the method and means of paying therefor."

CHARLES E. HUGHES.

On motion of Mr. Rogers, the House adjourned.

FRIDAY, MAY 24, 1907.

The House met pursuant to adjournment.

Mr. Mead in the chair.

Prayer by Rev. Charles W. Heisler.

On motion of Mr. Merritt, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. Duell gives notice that he requests that Assembly bill (No. 1905, Int. No. 811) entitled "An act to provide for preserving the waters of the Bronx river from pollution, creating a reservation of the lands on either side of the river, authorizing the taking of lands for that purpose, and provide for the payment thereof, and appointing a commission to carry out the purposes of the act," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

By unanimous consent, Mr. Mead introduced a bill entitled "An act to amend the Public Officers' Law, relative to the powers and duties of public officers" (Int. No. 1938), which was read the first time and referred to the committee on the judiciary.

By unanimous consent, Mr. West introduced a bill entitled

"An act to legalize, ratify and confirm a special election held in the town of Monroe, county of Orange, and the proposition adopted at such election for the purchase of a stone crushing plant, consisting of steam roller, stone crusher, elevator and bin in such town and pledging the credit of said town for the payment of the same" (Int. No. 1939), which was read the first time and referred to the committee on the judiciary.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Duell (No. 1905, Int. No. 811), entitled "An act to provide for preserving the waters of the Bronx river from pollution, creating a reservation of the lands on either side of the river, authorizing the taking of lands for that purpose, and provide for the payment thereof, and appointing a commission to carry out the purposes of the act," reported the same with the following amendment:

Page 18, line 11, strike out the name "Dave Hennen Morris" and substitute therefor the name "Harold E. Nagle".

and requests that said bill be reprinted, as amended, and recommitted to said committee, which request was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, May 22, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly herewith is returned for amendment Assembly bill (No. 2124, Int. No. 1496) entitled "An act to amend chapter two hundred and ninety-four of the laws of eighteen hundred and sixty-nine, entitled 'An act to incorporate the fire department of the city of Binghamton,' relative to appointment of officers and salaries of treasurer and clerk."

CHARLES E. HUGHES.

Said bill having been announced, Mr. Rogers moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 98

NOES 00

Those who voted in the affirmative were:

Apgar	Duell	Haines	Mead	Sheridan
Averill	Eggleston	Hamilton	Merritt	Shuttleworth
Baumann]	Eichhorn	Hammond	Miller	Sinclair
Blue	Farrell	Hamn	Mills	Smith C
Boshart	Ferguson	Harris	Moreland	Smith Myron
Brady	Feth	Hart	Morgan	Staley
Brown	Filley	Hoey	Murphy G W	Stratton
Buckley	Foley C F	Holmes	Nevins	Surpless
Burhyte	Fowler	Hubbs	Norton	Volk
Burns	Francis	Hurd	O'Brian	Voss
Cavanaugh	Frisbie	Jacobs	Oliver	Waddell
Chamberlain	Ganly	Keller	Parker	Wagner
Cole	Garbe	Lansing	Patton	Walters
Colné	Glore	Lewis	Prince	Waters
Conklin	Gluck	Lowe	Ralston	Weimert
Conrad	Glynn	Lupton	Reece	West
De Groot	Goldberg	Maher	Rogers	Whitley
Donnelly	Gray	Mallon	Schmidt	Winters
Dowling	Green	Marlatt	Schoeneck	Yale
Draper	Gunderman	Matthews	Schulz	

Mr. Rogers moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 3, line 8, after the word "salary" insert left hand bracket.

Page 3, line 8, after the word "exceeding" strike out left hand bracket.

Page 3, line 8, after the word "fifty" strike out right hand bracket, and also the words "one hundred".

Page 3, line 9, after the word "each," insert right hand bracket.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Dowling, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Miller offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 2437, Int. No. 1629) entitled "An act to amend the Town Law, in relation to assessors' clerks in certain towns of the county of Nassau," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the bill (No. 2685, Int. No. 1861) entitled "An act to extend the time of the Batavia and Northern Railroad Company to begin the construction of its road and to expend thereon ten percentum of its capital and to finish its road and put it in operation."

Also, the bill (No. 2707, Int. No. 1817) entitled "An act to amend subdivision five of section thirty of chapter one hundred and twelve of the Laws of eighteen hundred and ninety-six, entitled "An act in relation to the traffic in liquors and for the taxation and regulation of the same, and to provide for local option, constituting chapter twenty-nine of the general laws," in relation to persons to whom liquor shall not be sold or given away."

Also, the bill (No. 2424, Int. No. 1730) entitled "An act to amend the County Law, relative to the compensation of supervisors in Niagara county," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 2297, Int. No. 1672) entitled "An act authorizing the city of Lockport to issue bonds for the purpose of acquiring real property for a site for a public market and constructing the same," with a message that this bill was again duly passed, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, the President stating the question to be, "Shall this bill pass, notwithstanding the objection of the mayor of the city of Lockport thereto? "

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 1563, Senate reprint No. 1339, Assembly reprint No. 2739, Int. No. 1270) entitled "An

act in relation to public printing in Clinton county," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 2131, Int. No. 1466) entitled "An act to amend the Code of Criminal Procedure, in relation to coroner's juries."

Also, the bill (No. 1885, Int. No. 1472) entitled "An act to change the name of the 'Bushwick Avenue-Methodist Episcopal Church' to the 'Bushwick-Avenue-Central Methodist Episcopal Church.'"

Also, the bill (No. 689, Int. No. 646) entitled "An act to amend the Village Law, relative to powers, duties and fees of policemen."

Also, the bill (No. 2454, Int. No. 1746) entitled "An act to legalize the acts of Adison S. Pratt, a notary public."

Also, the bill (No. 1413, Int. No. 1167) entitled "An act to amend the Insanity Law, relative to trust funds for the support or maintenance of insane persons in State hospitals."

Also, the bill (No. 2218, Int. No. 607) entitled "An act to amend the Code of Criminal Procedure, with reference to the application for, and the granting of certificates of reasonable doubt."

Also, the bill (No. 1691, Int. No. 9) entitled "An act requiring certain publications to print correct data as to persons responsible therefor, and declaring the effect of failure to do so."

Also, the bill (No. 1609, Int. No. 1298) entitled "An act to extend the time of the Buffalo, Niagara Falls and Rochester Railway Company, its successors or assigns, to begin the construction of its road, to expend thereon ten per centum of the amount of its capital, and to finish its road and to put it in operation."

Also, the bill (No. 2173, Int. No. 1257) entitled "An act to amend the Highway Law, relative to commutation of highway labor, Montgomery county."

Also, the bill (No. 2237, Int. No. 1646) entitled "An act to extend the time for the Syracuse, Skaneateles and Moravia Railroad Company to begin the construction of its road and expend

thereon ten per centum of its capital, and finish and put the same in operation."

Also, the bill (No. 2331, Int. No. 1688) entitled "An act to extend the time within which the Danbury and Harlem Traction Company shall finish its road and put it in operation beyond its present construction and operation."

Also, the bill (No. 1277, Int. No. 975) entitled "An act to amend the Agricultural Law, relative to the purchase of adulterated evaporated apples."

Also, the bill (No. 1664, Int. No. 1332) entitled "An act to amend the Agricultural Law, relative to publication of results of analysis of commercial fertilizers."

Also, the bill (No. 2055, Int. No. 1126) entitled "An act to amend the Agricultural Law, in relation to the sale of apples, pears and peaches."

Also, the bill (No. 2464, Int. No. 1602) entitled "An act to amend chapter six hundred and eighty-six of the Laws of eighteen hundred and ninety-four, entitled 'An act for the preservation of macadamized and other public highways in the counties of Queens and Nassau,' in relation to exempting certain roads from certain of the provisions thereof."

Also, the bill (No. 1193, Int. No. 1034) entitled "An act in relation to school district number six in the town of Lyons in Wayne county and repealing various acts relating specially thereto."

Also, the bill (No. 2317, Int. No. 1295) entitled "An act to amend chapter four hundred and eighty-eight of the Laws of eighteen hundred and ninety-nine, entitled 'An act authorizing the sale of property left in street surface railroad cars, and the disposition of the proceeds thereof,' relative to cabs, coaches, stages and other similar vehicles," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 1765 Int. No. 1383) entitled "An act to amend chapter three hundred and fifty-nine of the Laws of eighteen hundred and ninety-seven, entitled 'An act to incorporate the city of Rensselaer,' in relation to the collection of taxes," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Rensselaer.

The Senate returned the bill (No. 2062, Int. No. 911) entitled "An act to amend the Greater New York charter, in relation to territory for the accommodation and use of canal boats and barges," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 1513, Int. No. 653) entitled "An act to amend the Greater New York charter, in relation to the police department," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 2134, Int. No. 1467) entitled "An act to amend the Code of Civil Procedure, in relation to the Municipal Court of the city of Rochester," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Rochester.

The Senate returned the bill (No. 1400, Int. No. 134) entitled "An act to provide that assessments due and payable after January first, nineteen hundred and seven, pursuant to chapter two hundred and forty-four of the Laws of eighteen hundred and seventy-eight and the acts amendatory thereof, for laying out and improving Prospect park in the city of Brooklyn shall be paid by the city of New York, and providing for refunding of any such assessments heretofore paid," with a message that this bill was again duly passed, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, the President stating the question to be, "Shall this bill pass notwithstanding the objection of the mayor of the city of New York thereto?"

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 2310, Int. No. 1175) entitled "An act to amend chapter three hundred and eighty-two

of the Laws of eighteen hundred and fifty-seven, entitled 'An act in relation to schools and academies in the village of Ogdensburg,' in relation to the rate of taxation for school purposes," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Ogdensburg.

The Senate returned the bill (No. 51, Int. No. 51) entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain assessments and sales to the city of New York for assessments affecting property in the city of New York, and directing the comptroller to mark such assessments accordingly," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 2747, Int. No. 1887) entitled "An act to amend chapter two hundred and twenty-five of the Laws of nineteen hundred and one, entitled 'An act to incorporate the city of Oneida,' in relation to bonds for local improvements," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Oneida.

The Senate returned the bill (No. 2642, Int. No. 1802) entitled "An act to amend chapter twenty-six of the Laws of eighteen hundred and eighty-five, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse,' and to revise and amend the charter of said city, relative to city and ward boundaries," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Syracuse.

The Senate returned the Senate bill (No. 501, Assembly reprint No. 2738, Rec. No. 75) entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relative to to the forma-

tion of an appellate term in the second judicial department, appointing clerks and attendants, and to provide for the expenses thereof."

Also, the Senate bill (No. 1073, Assembly reprint No. 2785, Int. No. 240) entitled "An act to amend chapter five hundred and fifty-three of the Laws of eighteen hundred and ninety-five, entitled 'An act in relation to the Supreme Court in the first judicial district and the appellate division thereof in the first department,' generally, and to repeal chapter five hundred and nineteen of the Laws of nineteen hundred and four," with a message that they have concurred in the amendments of the Assembly made thereto.

Ordered, That the Clerk return said bills to the Senate.

The Senate returned the Senate bill (No. 1285, Assembly reprint No. 2842, Rec. No. 298) entitled "An act to revise the charter of the city of Binghamton," with a message that they have concurred in the amendments of the Assembly made thereto.

Ordered, That the Clerk engross and return said bill to the Senate.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 1638, Int. No. 227) entitled "An act to amend chapter six hundred and forty-three of the Laws of eighteen hundred and ninety-nine, entitled 'An act in relation to the opening of the highway or avenue known as Prospect avenue, in the former town of Flátbush, Kings county, now a part of the city of New York,' " with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Francis M. Hugo, mayor of the city of Watertown, returning Assembly bill (No. 2302, Senate reprint No. 1489, Int. No. 1517) entitled "An act to amend chapter seven hundred and sixty of the Laws of eighteen hundred and ninety-seven, entitled 'An act to revise the charter of the city of Watertown,' in relation to the liability of the city," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Edward F. Brush, mayor of the city of Mount Vernon, returning Assembly bill (No. 2172, Int. No. 1614) entitled "An act to provide for the widening of West First street, otherwise known as West Lincoln avenue in the city of Mount Vernon, from South Eleventh avenue in said city, to the New York city line, and providing for the expense of said improvement," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Rugene Walwrath, mayor of the city of Little Falls, returning Assembly bill (No. 2421, Int. No. 1727) entitled "An act to amend chapter five hundred and sixty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to incorporate the city of Little Falls,' relative to laying out, widening, altering or straightening streets, highways, alleys, lanes or public grounds," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 1322, Senate reprint No. 1514, Int. No. 1117) entitled "An act regulating and restraining the practice of midwifery in the city of New York," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 2411, Int. No. 1717) entitled "An act authorizing the board of commissioners of the sinking fund in the city of New York to cancel and annul certain unpaid taxes upon the real estate in said city, belonging to the Friendly Aid Society," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 1972, Int. No. 1516) entitled "An act to authorize the commissioners of the sinking fund of the city of New York, in their discretion, and upon such terms as they may deem proper, to remit certain taxes upon property of the Northwestern Dispensary in the city of New York," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 2304, Int. No. 1399) entitled "An act to amend the Greater New York charter, relative to proceedings taken by commissioner of docks," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 2339, Int. No. 857) entitled "An act to amend the Greater New York charter, in relation to licensing auctioneers," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 2455, Senate reprint No. 1541, Int. No. 1747) entitled "An act for the relief of the Chapin Home for the Aged and Infirm, to authorize a sale, grant and conveyance of certain property from the city of New York to said the Chapin Home for the Aged and Infirm, and to authorize the sale, grant, conveyance or lease of the property by the Chapin Home for the Aged and Infirm," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. John H. Coyne, mayor of the city of Yonkers, returning Assembly bill (No. 2443, Int. No. 1483) entitled "An act to amend chapter six hundred and thirty-five of the Laws of eighteen hundred and ninety-

five, entitled 'An act to revise the charter of the city of Yonkers,' generally," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 2437, Int. No. 1629) entitled "An act to amend the Town Law, in relation to assessors' clerks in certain towns of the county of Nassau," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

On motion of Mr. Merritt, the House adjourned.

MONDAY, MAY 27, 1907.

The House met pursuant to adjournment.

Prayer by Rev. Charles W. Heisler.

On motion of Mr. Moreland, the reading of the journal of Friday, May 24, 1907, was dispensed with, and the same was approved.

Mr. Boshart gives notice that he requests that Assembly bill (No. 2761, Int. No. 1891) entitled "An act to amend the Agricultural Law, in relation to the employment of persons having infectious or contagious disease, or who have been exposed to any infectious or contagious disease, in any dairy or creamery where milk is produced for sale or manufactured into an article of food, and to prevent the employment of any such person in connection with the distribution of milk or other dairy products," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Dowling gives notice that he requests that Assembly bill (No. 2790, Int. No. 1909) entitled "An act to legalize the act

of Frederick A. Phelps, a commissioner of deeds," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Dowling gives notice that he requests that Assembly bill (No. 2733, Int. No. 1018) entitled "An act to release to Mary H. Travis, John Bramhall Roebuck, George Roebuck, Herbert Roebuck, Ernest Roebuck, Alfred Roebuck, Walter Roebuck, and Arthur Roebuck all the right, title and interest of the people of the State of New York in and to certain lots of land of Joseph H. Van Mater, junior, deceased, situate in the borough of Queens in the city of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Miller gives notice that he requests that Assembly bill (No. 2764, Int. No. 1894) entitled "An act to amend chapter six hundred and eighty-six of the Laws of eighteen hundred and ninety-four, entitled, as amended, 'An act for the preservation of macadamized and other public highways, in the counties of Queens and Nassau,' by exempting certain roads from certain of the provisions thereof," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Robinson gives notice that he requests that Assembly bill (No. 2273, Int. No. 1461) entitled "An act to amend the Greater New York charter, relative to the salaries of county officers, subordinates and employees," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Stern gives notice that he requests that Assembly bill (No. 2740, Int. No. 1880) entitled "An act to legalize acts of Jacob Lagarde, a commissioner of deeds," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Schulz gives notice that he requests that Assembly bill (No. 2763, Int. No. 1893) entitled "An act to legalize the acts of Edward Polak, a commissioner of deeds," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Wood gives notice that he requests that Assembly bill (No. 2744, Int. No. 1884) entitled "An act to amend chapter seven hundred and sixty of the Laws of eighteen hundred and ninety-seven entitled 'An act to revise the charter of the city of Watertown,' " a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Hoey gives notice that he requests that Assembly bill (No. 2722, Int. No. 1459) entitled "An act to amend section twenty-one of chapter three hundred and seventy of the Laws of eighteen hundred and ninety-nine, entitled 'An act in relation to the civil service of the State of New York, and the cities and civil divisions thereof, constituting chapter three of the general laws,' " a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Phillips gives notice that he requests that Assembly bill (No. 2795, Int. No. 1916) entitled "An act to amend chapter three hundred and thirteen of the Laws of eighteen hundred and seventy-nine, entitled 'An act to provide for the care and protection of Moscow public square and parade ground,' generally," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Wagner gives notice that he requests that Assembly bill (No. 2801, Int. No. 1917) entitled "An act to amend the Code of Civil Procedure, in relation to the clerk, deputy clerks, assistant clerks, stenographers, interpreters and attendants in the

City Court of the city of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Moreland gives notice that he requests that the Senate bill (No. 1201, Assembly reprint No. 2757, Rec. No. 260) entitled "An act to amend the State Finance Law, in relation to the duties of State officers concerning receipts and expenditures," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Oliver gives notice that he requests that the Senate bill (No. 1530, Rec. No. 376) entitled "An act for the relief of John Holzer, a retired policeman of the city of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Oliver gives notice that he requests that the Senate bill (No. 1481, Rec. No. 52) entitled "An act to authorize commissioners of the sinking fund of the city of New York to cancel, annul and discharge certain taxes and assessments upon property of James A. Miller, pastor of Church of Sacred Heart," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Mills gives notice that he requests that the Senate bill (No. 1429, Rec. No. 363) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for hares and rabbits in Erie, Genesee, Wyoming and other counties," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Patton gives notice that he requests that the Senate bill (No. 1143, Assembly reprint No. 2608, Rec. No. 228) entitled "An act to amend section seven hundred and fifty of the Code of

Criminal Procedure of the State of New York, in relation to appeals," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. O'Brian gives notice that he requests that Senate bill (No. 1547, Rec. No. 377) entitled "An act to amend the Motor Vehicle Law, in relation to reissuing of registration seal," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Allen gives notice that he requests that the Senate bill (No. 1649, Rec. No. 409) entitled "An act to authorize the city of Olean to sell and convey to the United States of America a portion of the public square in said city, in case such sale be approved by the electors at a vote to be taken, and providing for taking such vote," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Allen gives notice that he requests that the Senate bill (No. 1650, Rec. No. 408) entitled "An act to authorize the city of Olean to acquire the reversionary interest and estate in the lands constituting the public square in said city," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Francis gives notice that he requests that Senate bill (No. 1246, Rec. No. 368) entitled "An act to authorize the appointment of a commission to inquire into the local government of the city of New York and the charter thereof, and suggest legislation thereon," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. O'Brian gives notice that he requests that the Senate bill (No. 1171, Rec. No. 395) entitled "An act to amend the Tax Law, relative to investment in State bonds by savings banks, trust

companies and insurance companies," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Francis gives notice that he requests that the Senate bill (No. 1216, Rec. No. 410) entitled "An act to amend the Code of Criminal Procedure, in relation to the removal of an indictment from the Court of General Sessions of the Peace, in and for the county of New York, County Court or a City Court to the Supreme Court and in relation to the admission of a defendant to bail," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Sinclair gives notice that he requests that the Senate bill (No. 1536, Rec. No. 403) entitled "An act to amend the Railroad Law, in relation to location of route," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Nevins gives notice that he requests that the Senate bill (No. 1102, Rec. No. 279) entitled "An act to release certain State lands to the city of Middletown and town of Wallkill, respectively, in the county of Orange, upon certain conditions," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Haines gives notice that he requests that the Senate bill (No. 1551, Assembly reprint No. 2787, Rec. No. 367) entitled "An act to empower the Commissioners of the Land Office to release to Charles W. Dayton all the right, title and interest of the people of the State of New York in and to certain real estate in the city, formerly town of Yonkers, county of Westchester, State of New York, acquired by escheat or forfeiture upon the death of Charles Scola and Carlo Scola," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Mead gives notice that he requests that the Senate bill (No. 1118, Rec. No. 341) entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-eight, entitled 'An act for the government of cities of the second class,' in relation to public markets," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Mead gives notice that he requests that the Senate bill (No. 1443, Rec. No. 355) entitled "An act to amend the uniform charter of cities of the second class, in relation to public markets," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

The Senate sent for concurrence the following entitled bills:

"An act to amend the Election Law, relative to division and alteration of election districts" (No. 1662, Rec. No. 425), which was read the first time and referred to the committee on the judiciary.

"An act to make an appropriation for the payment of the judgments of the Court of Claims, in claims arising on account of the canals of this State" (No. 1632, Rec. No. 426), which was read the first time and referred to the committee on ways and means.

"An act to make an appropriation for the payment of the judgments of the Court of Claims, in claims other than those on account of the canals of this State" (No. 1631, Rec. No. 427), which was read the first time and referred to the committee on ways and means.

"An act to amend the County Law, in relation to giving boards of supervisors authority to fix the compensation of town boards" (No. 1427, Rec. No. 428), which was read the first time and referred to the committee on internal affairs.

"An act to amend the Consolidated School Law, relative to changing school districts" (No. 1592, Rec. No. 429), which was read the first time and referred to the committee on public education.

"An act to amend the Highway Law, in relation to State aid in

towns under the money system " (No. 1702, Rec. No. 430), which was read the first time and referred to the committee on internal affairs.

"An act to amend chapter four hundred and sixty-nine of the Laws of nineteen hundred and six, entitled 'An act to provide for issuing of bonds of the State for the improvement of highways, and making appropriation therefor,' generally " (No. 1703, Rec. No. 431), which was read the first time and referred to the committee on ways and means.

"An act to amend certain sections of chapter seven hundred and thirty-one of the Laws of nineteen hundred and five, entitled 'An act to provide for the widening of Pelham avenue and for the construction of a bridge to carry Pelham avenue as so widened over the tracks of the New York and Harlem Railroad in the city of New York ' " (No. 1240, Rec. No. 432), which was read the first time and referred to the committee on affairs of cities.

"An act to legalize the acts of Edward Polak, a commissioner of deeds " (No. 1688, Rec. No. 433), which was read the first time and referred to the committee on the judiciary.

"An act to authorize the comptroller to hear and determine the application of Abram G. DeWitt for the cancellation of tax sales made in the years eighteen hundred and ninety-five, and nineteen hundred of lot number five, eastern one-half of great lot number eight of the Hurley patentee woods fourteen and one-half acres, in Ulster county " (No. 1629, Rec. No. 434), which was read the first time and referred to the committee on ways and means.

"An act to establish a State probation commission and defining its powers and duties " (No. 1686, Rec. No. 435), which was read the first time and referred to the committee on ways and means.

"An act to amend the Real Property Law, relative to the discharge of mortgages in counties wholly embraced within cities of the first class, where the property involved lies in more than one of such counties " (No. 1442, Rec. No. 436), which was read the first time and referred to the committee on the judiciary.

"An act to empower the board of assessors of the city of New York to fix, determine and allow the amount of damages sustained to certain real property in said city in consequence of the

change of grade of Meserole avenue between Diamond and Newell streets, borough of Brooklyn, city of New York" (No. 1654, Rec. No. 437), which was read the first time.

On motion of Mr. Dowling, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Dowling, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrad	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to legalize the acts of Frederick A. Phelps, a commissioner of deeds" (No. 1687, Rec. No. 438), which was read the first time and referred to the committee on the judiciary.

"An act to amend the Benevolent Orders Law in relation to the Fraternal Order of Eagles" (No. 1681, Rec. No. 439), which was read the first time.

On motion of Mr. Oliver, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Oliver, and by unanimous consent, said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

“An act for the relief of William Baumgarten, a volunteer fireman, for injuries received while a member of Woodside hook and ladder company number three, a volunteer fire company of the city of New York ” (No. 1670, Rec. No. 440), which was read the first time and referred to the committee on affairs of cities.

“ Concurrent resolution of the Senate and Assembly, proposing an amendment to section twenty-seven of article three of the Constitution, in relation to the powers of the boards of supervisors and county auditors, or other fiscal officers ” (No. 1468, Rec. No. 441), which was read the first time and referred to the committee on the judiciary.

“ An act to amend the Banking Law so as to require trust companies to keep a lawful money reserve ” (No. 1636, Rec. No. 442), which was read the first time and referred to the committee on banks.

“An act to amend the Banking Law so as to require banks or individual bankers to keep a lawful money reserve ” (No. 1695, Rec. No. 443), which was read the first time and referred to the committee on banks.

“An act to enable Samuel A. Gluck to practice pharmacy on certain conditions ” (No. 1450, Rec. No. 444), which was read the first time and referred to the committee on public health.

“ An act to legalize, ratify and confirm the proceedings of the electors and board of education of union free school district number one, of the town of Schroon, in the county of Essex, relative to the levy of taxes, and the issuance and sale of bonds ” (No. 1635, Rec. No. 445), which was read the first time and referred to the committee on internal affairs.

“An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of David L. Hough for services as appraiser in the action of Consolidated Gas Company against the commissioners of gas and electricity and others ” (No. 1627, Rec. No. 446), which was read the first time and referred to the committee on claims.

“An act to confer jurisdiction upon the Court of Claims to

hear, audit and determine the alleged claim of William J. Logan, for services as appraiser in the action of Consolidated Gas Company against the commissioners of gas and electricity and others " (No. 1628, Rec. No. 447), which was read the first time and referred to the committee on claims.

"An act to transfer to the city of New York certain property in the borough of Brooklyn, of said city, now used for military purposes " (No. 1575, Rec. No. 448), which was read the first time and referred to the committee on affairs of cities.

"An act to legalize and confirm the acts and proceedings of the trustees and voters of union free school district number one, town of Hammond, Saint Lawrence county, New York, relative to certain tax, and issue and sale of certain bonds of said district " (No. 1593, Rec. No. 449), which was read the first time and referred to the committee on internal affairs.

"An act to amend chapter seven hundred and forty of the Laws of eighteen hundred and ninety-six, as amended by chapter six hundred and seventy-six of the Laws of nineteen hundred and one, entitled 'An act to amend the charter of the Hebrew Benevolent and Orphan Asylum Society of the city of New York, and to authorize its appointment as general guardian of the person and property of infants under its care and control " (No. 1696, Rec. No. 450), which was read the first time and referred to the committee on the judiciary.

"An act to amend section eight hundred and fifty-six of the Code of Civil Procedure, with respect to punishment for contempt " (No. 1556, Rec. No. 451), which was read the first time and referred to the committee on codes.

"An act to repeal chapter four of the Laws of eighteen hundred and eighty-two, entitled 'An act to provide for the election of an overseer of the poor in the town of Deerpark,' in the county of Orange, and to fix his compensation " (No. 1574, Rec. No. 452), which was read the first time and referred to the committee on internal affairs.

"An act to amend chapter five hundred and seventy-two of the Laws of nineteen hundred and two, entitled 'An act to revise and amend an act to incorporate the city of Middletown, and the acts amendatory thereof,' generally " (No. 1689, Rec. No. 453), which

was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter six hundred and eighty-nine of the Laws of eighteen hundred and ninety-two, entitled 'An act in relation to banking corporations' " (No. 1520, Rec. No. 454), which was read the first time and referred to the committee on banks.

"An act to amend section one hundred and seventy-eight of chapter six hundred and eighty-nine of the Laws of eighteen hundred and ninety-two, entitled 'An act in relation to banking corporations, being chapter thirty-seven of the general laws,' relative to charges for premium and interest by building and mutual loan corporations or associations and co-operative loan associations or co-operative savings and loan associations" (No. 1700, Rec. No. 455), which was read the first time and referred to the committee on banks.

"An act to amend the Code of Civil Procedure, in relation to awarding costs to an unsuccessful contestant of a will " (No. 1677, Rec. No. 456), which was read the first time and referred to the committee on codes.

"An act to legalize bonds of the village of East Syracuse, to be issued for the purpose of enabling the village of East Syracuse to borrow the sum of ten thousand dollars for the purpose of completing the sewer system of the village of East Syracuse, and the purchase of necessary machinery for the operation and maintenance of the sewer system of the village, and to sell twenty bonds of the village of the denomination of five hundred dollars each, aggregating the sum of ten thousand dollars, as provided by the Village Law and the Municipal Corporation Law, and to legalize all steps, proceedings and resolutions of the board of trustees of the village of East Syracuse, in relation to the sale and issue of said bonds, including the proposition submitted to the qualified electors of the village at a general election thereof, held therein on the nineteenth day of March, nineteen hundred and seven, and all proceedings of said board of trustees in relation and subsequent thereto, including the advertisement and sale of the bonds authorized by said proposition, on the twentieth day of April, nineteen hundred and seven, and to provide for the pay-

ment of the principal and interest of said bonds " (No. 1653, Rec. No. 457), which was read the first time and referred to the committee on affairs of villages.

"An act to amend chapter one hundred and forty-seven of the Laws of nineteen hundred and three, entitled 'An act making provision for issuing bonds to the amount of not to exceed one hundred and one million dollars for the improvement of the Erie canal, the Oswego canal and the Champlain canal, and providing for a submission of the same to the people to be voted upon at the general election to be held in the year nineteen hundred and three,' relative to the advisory board of consulting engineers " (No. 1699, Rec. No. 458), which was read the first time and referred to the committee on ways and means.

"An act relating to the Brooklyn college authorizing and empowering educational institutions in the city of New York to consolidate with, merge in, or enter into contracts with the Brooklyn college, and authorizing and empowering the city of New York to establish and maintain said college " (No. 284, Rec. No. 459), which was read the first time.

On motion of Mr. C. F. Murphy, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. C. F. Murphy, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton

Brough	Feth	Hoey	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

By unanimous consent, Mr. Cuvillier introduced a bill entitled "An act relating to the defense of contributory negligence in the granting of non-suits in actions for personal damages or death, and declaring to what extent contributory negligence shall be a defense therein, and providing for the submission of all questions of negligence, and contributory negligence to the jury" (Int. No. 1940), which was read the first time and referred to the committee on the judiciary.

Also, by unanimous consent, "An act amending the Penal Code, relative to the punishment of murder in the second degree" (Int. No. 1941), which was read the first time and referred to the committee on codes.

Also, by unanimous consent, "An act amending the Code of Civil Procedure, relative to the discharge of jury failing to agree" (Int. No. 1942), which was read the first time and referred to the committee on codes.

By unanimous consent, Mr. Moreland introduced a bill entitled "An act to provide ways and means for the annual contribution to the canal debt sinking funds" (Int. No. 1943), which was read the first time and referred to the committee on ways and means.

Also, by unanimous consent, "An act making an appropriation for the payment of interest on the debt for highway improvement contracted or to be contracted under article seven, section

twelve of the Constitution, and as provided by law, for the fiscal year beginning on the first day of October nineteen hundred and seven" (Int. No. 1944), which was read the first time and referred to the committee on ways and means.

Also, by unanimous consent, "An act to provide ways and means for the annual contribution to the highway improvement fund" (Int. No. 1945), which was read the first time and referred to the committee on ways and means.

Also, by unanimous consent, "An act making an appropriation for the payment for the fiscal year beginning on the first day of October nineteen hundred and seven of interest on the canal debt contracted or to be contracted under article seven, section four of the Constitution" (Int. No. 1946), which was read the first time and referred to the committee on ways and means.

Also, by unanimous consent, "An act making an appropriation for the payment for the fiscal year beginning on the first day of October, nineteen hundred and six, of interest on the canal debt contracted or to be contracted under article seven, section four of the Constitution, and as provided by chapter three hundred and two of the Laws of nineteen hundred and six" (Int. No. 1947), which was read the first time and referred to the committee on ways and means.

By unanimous consent, Mr. G. H. Whitney introduced a bill entitled "An act to amend the Agricultural Law, in relation to deception in the sale of paint, turpentine and linseed oil" (Int. No. 1948), which was read the first time and referred to the committee on agriculture.

By unanimous consent, Mr. Dowling introduced a bill entitled "An act to amend chapter one thousand and forty-two of the Laws of eighteen hundred and ninety-five, entitled 'An act to protect all citizens in their civil and legal rights'" (Int. No. 1949), which was read the first time and referred to the committee on the judiciary.

By unanimous consent, Mr. Rogers introduced a bill entitled "An act to amend the Insurance Law in relation to the payment of dividends or re-funds by any domestic corporation, association or society doing business subject to article six of the Insurance Law" (Int. No. 1950), which was read the first time and referred to the committee on insurance.

By unanimous consent, Mr. Mooney introduced a bill entitled "An act to prevent the emasculation of the national anthem, the Star Spangled Banner, in the text books in use in the public schools of the State of New York" (Int. No. 1951), which was read the first time and referred to the committee on public education.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Boshart (No. 2761, Int. No. 1891), entitled "An act to amend the Agricultural Law in relation to the employment of persons having infectious or contagious disease, or who have been exposed to any infectious or contagious disease, in any dairy or creamery where milk is produced for sale or manufactured into an article of food, and to prevent the employment of any such person in connection with the distribution of milk or other dairy products."

Also, Assembly bill introduced by Mr. Dowling (No. 2790, Int. No. 1909), entitled "An act to legalize the acts of Frederick A. Phelps, a commissioner of deeds."

Also, Assembly bill introduced by Mr. Dowling (No. 2733, Int. No. 1018), entitled "An act to release to Mary H. Travis, John Bramhall Roebuck, George Roebuck, Herbert Roebuck, Ernest Roebuck, Alfred Roebuck, Walter Roebuck and Arthur Roebuck, all the right, title and interest of the people of the State of New York in and to certain lots of land of Joseph H. Van Mater, junior, deceased, situate in the borough of Queens, in the city of New York."

Also, Assembly bill introduced by Mr. Miller (No. 2764, Int. No. 1894), entitled "An act to amend chapter six hundred and eighty-six of the Laws of eighteen hundred and ninety-four, entitled, as amended, 'An act for the preservation of macadamized and other public highways in the counties of Queens and Nassau,' by exempting certain roads from certain of the provisions thereof."

Also, Assembly bill introduced by Mr. Robinson (No. 2273, Int. No. 1461), entitled "An act to amend the Greater New York charter, relative to the salaries of county officers, subordinates and employees."

Also, Assembly bill introduced by Mr. Stern (No. 2740, Int. No. 1880), entitled "An act to legalize the acts of Jacob J. Lazaro, a commissioner of deeds."

Also, Assembly bill introduced by Mr. Schulz (No. 2763, Int. No. 1893), entitled "An act to legalize the acts of Edward Polak, a commissioner of deeds."

Also, Assembly bill introduced by Mr. Wood (No. 2744, Int. No. 1884), entitled "An act to amend chapter seven hundred and sixty of the Laws of eighteen hundred and ninety-seven, entitled 'An act to revise the charter of the city of Watertown.'"

Also, Assembly bill introduced by Mr. Hoey (No. 2722, Int. No. 1459), entitled "An act to amend section twenty-one of chapter three hundred and seventy of the Laws of eighteen hundred and ninety-nine entitled 'An act in relation to the civil service of the State of New York, and the cities and civil divisions thereof, constituting chapter three of the general laws.'"

Also, Assembly bill introduced by Mr. Phillips (No. 2795, Int. No. 1916), entitled "An act to amend chapter three hundred and thirteen of the Laws of eighteen hundred and seventy-nine, entitled 'An act to provide for the care and protection of Moscow public square and parade ground,' generally."

Also, Assembly bill introduced by Mr. Wagner (No. 2801, Int. No. 1917), entitled "An act to amend the Code of Civil Procedure, in relation to the clerk, deputy clerks, assistant clerks, stenographers, interpreters, and attendants in the City Court of the city of New York," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading, immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Armstrong (No. 2757, Rec. No. 260), entitled "An act to amend the State Finance Law, in relation to the duties of State officers concerning receipts and expenditures."

Also, Senate bill introduced by Mr. Cohalan (No. 1030, Rec. No. 376), entitled "An act for the relief of John Holzer, a retired policeman of the city of New York."

Also, Senate bill introduced by Mr. Cohalan (No. 1481, Rec. No. 52), entitled "An act to authorize the commissioners of the sinking fund of the city of New York, in behalf of said city, to compromise, settle, cancel, annul and discharge certain taxes and assessments and interest thereon levied upon the property the legal title of which is in the name of James A. Mullin, pastor of the Church of the Sacred Heart, in said city, situated in the Twenty-third ward of the city of New York, borough of the Bronx."

Also, Senate bill introduced by Mr. Cobb (No. 1429, Rec. No. 363), entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for hares and rabbits in Erie, Genesee, Wyoming and other counties."

Also, Senate bill introduced by Mr. Davis (No. 1143, Assembly reprint No. 2608, Rec. No. 228), entitled "An act to amend section seven hundred and fifty of the Code of Criminal Procedure of the State of New York, in relation to appeals."

Also, Senate bill introduced by Mr. Davis (No. 1547, Rec. No. 377), entitled "An act to amend the Motor Vehicle Law, in relation to re-issuing of registration seal."

Also, Senate bill introduced by Mr. Fancher (No. 1649, Rec. No. 409), entitled "An act to authorize the city of Olean to sell and convey to the United States of America, a portion of the public square in said city, in case such sale be approved by the electors at a vote to be taken, and providing for taking such vote."

Also, Senate bill introduced by Mr. Fancher (No. 1650, Rec. No. 408), entitled "An act to authorize the city of Olean to acquire the reversionary interest and estate in the lands constituting the public square in said city."

Also, Senate bill introduced by Mr. Hill (No. 1171, Rec. No. 395), entitled "An act to amend the Tax Law, relative to investment in State bonds by savings banks, trust companies and insurance companies."

Also, Senate bill introduced by Mr. Page (No. 1246, Rec. No. 368), entitled "An act to authorize the appointment of a commis-

sion to inquire into the local government of the city of New York and the charter thereof, and suggest legislation thereon."

Also, Senate bill introduced by Mr. Page (No. 1216, Rec. No. 410), entitled "An act to amend the Code of Criminal Procedure, in relation to the removal of an indictment from the Court of General Sessions of the Peace in and for the county of New York, County Court or a City Court to the Supreme Court and in relation to the admission of a defendant to bail."

Also, Senate bill introduced by Mr. Smith (No. 1536, Rec. No. 403), entitled "An act to amend the Railroad Law in relation to location of route."

Also, Senate bill introduced by Mr. Taylor (No. 1102, Rec. No. 279), entitled "An act to release certain State lands to the city of Middletown and town of Wallkill, respectively, in the county of Orange upon certain conditions."

Also, Senate bill introduced by Mr. Page (No. 1551, Assembly reprint No. 2787, Rec. No. 367), entitled "An act to empower the Commissioners of the Land Office to release to Charles W. Dayton, all the right, title and interest of the people of the State of New York in and to certain real estate in the city, formerly town of Yonkers, county of Westchester, State of New York, acquired by escheat or forfeiture upon the death of Charles Scola and Carlo Scola."

Also, Senate bill introduced by Mr. Grattan (No. 1118, Rec. No. 341), entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-eight, entitled 'An act for the government of cities of the second class,' in relation to public markets."

Also, Senate bill introduced by Mr. Grattan No. 1443, Rec. No. 355), entitled "An act to amend the uniform chapter of cities of the second class, in relation to public markets," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third

reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Moreland, from the committee of conference, presented the following report:

To the Legislature:

The undersigned, appointed by the Senate and Assembly as a committee of conference relative to the matters of difference arising between the two Houses upon the Assembly bill (No. 2841, Senate reprint No. 981, Int. No. 710) entitled "An act making appropriations for the support of government," report that they have duly conferred upon said matters, and agreed to recommend the passage of the following substitute bill.

(See Appendix No. 42.)

WILLIAM W. ARMSTRONG,
HENRY W. HILL,
CHARLES H. FULLER,

Committee on the part of the Senate.

SHERMAN MORELAND,
JESSE S. PHILLIPS,
GEORGE H. WHITNEY,
J. K. APGAR,
JAMES OLIVER,

Committee on the part of the Assembly.

which report was agreed to, and said bill ordered reprinted and re-engrossed and restored to the order of third reading.

Mr. Speaker announced the special order, being the Senate bill (No. 1497, Assembly reprint No. 2791) entitled "An act to revise the charter of the city of North Tonawanda." (Rec. No. 338.)

On motion of Mr. Eggleston, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	Mc Cue	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the bill (No. 2782) entitled "An act to amend title two of chapter six hundred and thirty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Yonkers,' relative to the office of city judge." (Int. No. 1906.)

On motion of Mr. Haines, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2251) entitled "An act to amend the Domestic Commerce Law, in relation to fire-escapes in hotels and rooming-houses." (Int. No. 290.) Said bill having been announced for second reading, Mr. Hastings moved to recommit said bill to the committee on rules.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the bill (No. 2761) entitled "An act to amend the Agricultural Law, in relation to the employment of persons having infectious or contagious disease, or who have been exposed to any infectious or contagious disease, in any dairy or creamery where milk is produced for sale or manufactured into an article of food, and to prevent the employment of any such person in connection with the distribution of milk or other dairy products." (Int. No. 1891.)

On motion of Mr. Boshart, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

By unanimous consent, Mr. Dowling offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on rules be discharged from the further consideration of the Senate bill (No. 1687, Rec. No. 438) entitled "An act to legalize the acts of Frederick A. Phelps, a commissioner of deeds.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced,

On motion of Mr. Dowling, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Dowling, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpluss
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrad	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 2790) entitled "An act to legalize the acts of Frederick A. Phelps, a commissioner of deeds." (Int. No. 1909.) Said bill having been announced for a second reading,

On motion of Mr. Dowling, said bill was laid aside, and ordered stricken from the calendar.

Mr. Speaker announced the special order, being the bill (No. 2733) entitled "An act to release to Mary H. Travis, John Bramhall Roebuck, George Roebuck, Herbert Roebuck, Ernest Roebuck, Alfred Roebuck, Walter Roebuck and Arthur Roebuck all the right, title and interest of the people of the State of New York in and to certain lots of land of Joseph H. Van Mater, junior, deceased, situate in the borough of Queens, in the city of New York." (Int. No. 1018.)

On motion of Mr. Dowling, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells

Conrad	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2764) entitled "An act to amend chapter six hundred and eighty-six of the Laws of eighteen hundred and ninety-four, entitled, as amended, 'An act for the preservation of macadamized and other public highways in the counties of Queens and Nassau' by exempting certain roads from certain of the provisions thereof." (Int. No. 1894.)

Our motion of Mr. Miller, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpluss
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters

Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2273) entitled "An act to amend the Greater New York charter, relative to the salaries of county officers, subordinates and employees." (Int. No. 1461.)

On motion of Mr. Robinson, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 3

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Sinclair
Averill	Dudley	Hammond	Mead	Smith A E
Baldwin	Duell	Hamn	Merritt	Smith C
Blue	Eagleton	Harawitz	Miller	Smith Myron
Bohan	Eggleston	Harper	Mills	Staley
Boshart	Eichhorn	Harris	Mooney	Stern
Brady	Ferguson	Hart	Morgan	Stevenson
Brooks	Feth	Hastings	Murphy G W	Stratton
Brough	Filley	Hoey	Nevins	Surpless
Brown	Flanagan	Holmes	Newton	Todd
Buckley	Foley C F	Hooper	Northrup	Volk
Burhyte	Foley J A	Hubbs	Norton	Voss
Burns	Fowler	Hurd	O'Brian	Waddell
Burzynski	Francis	Jackson	Oliver	Wagner
Cavanaugh	Frisbie	Keller	Parker	Walters
Chamberlain	Ganly	Lansing	Patton	Waters
Cole	Garbe	Lee	Phillips	Weber
Colné	Geoghagan	Lewis	Prince	Weimert

Conklin	Glore	Loos	Reece	Wells
Conrad	Gluck	Lowe	Robinson	West
Croak	Glynn	Lupton	Rogers	Whitley
Cunningham	Goldberg	Maher	Schmidt	Whitney F G
Cuvillier	Gray	Mallon	Schoeneck	Whitney G H
De Groot	Green	Mance	Schulz	Wood
Dobbs	Gunderman	Marlatt	Sheridan	Yale
Dominy	Hackett	Matthews	Shuttleworth	Young
Donnelly				

Those who voted in the negative were:

Dowling Murphy C F Ralston

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2740) entitled "An act to legalize the acts of Jacob J. Lazaro, a commissioner of deeds." (Int. No. 1880.)

On motion of Mr. Stern, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brien	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colne	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells

Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2763) entitled "An act to legalize the acts of Edward Polak, a commissioner of deeds." (Int. No. 1893.) Said bill having been announced for a second reading,

On motion of Mr. Schulz, and by unanimous consent, said bill was made a special order on second and third reading for Tuesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 2744) entitled "An act to amend chapter seven hundred and sixty of the Laws of eighteen hundred and ninety-seven, entitled 'An act to revise the charter of the city of Watertown.'" (Int. No. 1884.)

On motion of Mr. Wood, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton

Brough	Feth	Hoey	Nevins	Surpluss
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2722) entitled "An act to amend section twenty-one of chapter three hundred and seventy of the Laws of eighteen hundred and ninety-nine, entitled 'An act in relation to the civil service of the State of New York, and the cities and civil divisions thereof, constituting chapter three of the general laws.'" (Int. No. 1459.) Said bill having been announced for a second reading,

On motion of Mr. A. E. Smith, and by unanimous consent, said bill was made a special order on second and third reading for Wednesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 2795) entitled "An act to amend chapter three hundred and thirteen of the Laws of eighteen hundred and seventy-nine, entitled 'An act to provide for the care and protection of Moscow public square and parade ground,' generally." (Int. No. 1916).

On motion of Mr. Phillips, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surplless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hoooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2801) entitled "An act to amend the Code of Civil Procedure, in relation to the clerk, deputy clerks, assistant clerks, stenographers, interpreters, and attendants in the City Court of the city of New York." (Int. No. 1917.)

On motion of Mr. Wagner, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpress
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrad	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1201, Assembly reprint No. 2757) entitled "An act to amend the State Finance Law, in relation to the duties of State officers concerning receipts and expenditures." (Rec. No. 260.)

On motion of Mr. Moreland, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the Senate bill (No. 1030) entitled "An act for the relief of John Holzer, a retired policeman of the city of New York." (Rec. No. 376.)

On motion of Mr. Eagleton, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Friskie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1481) entitled "An act to authorize the commissioners of the sinking fund of the city of New York, in behalf of said city, to compromise, settle, cancel, annul and discharge certain taxes and assessments and interest thereon levied upon the property the legal title of which is in the name of James A. Mullin, pastor of the Church of the Sacred Heart in said city, situated in the Twenty-third ward of the city of New York, borough of the Bronx." (Rec. No. 337.)

On motion of Mr. Eagleton, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1429) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for hares and rabbits in Erie, Genesee, Wyoming and other counties." (Rec. No. 363.) Said bill having been announced for a second reading,

On motion of Mr. Wood, and by unanimous consent, said bill was made a special order on second and third reading for Tuesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the Senate bill (No. 1143, Assembly reprint No. 2608) entitled "An act to amend

section seven hundred and fifty of the Code of Criminal Procedure of the State of New York, in relation to appeals." (Rec. No. 228.)

On motion of Mr. Patton, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hammond	Mead	Sinclair
Averill	Draper	Hamn	Merritt	Smith A E
Baldwin	Dudley	Harawitz	Miller	Smith C
Blue	Duell	Harper	Mills	Smith Myron
Bohan	Eagleton	Harris	Mooney	Staley
Boshart	Eggleston	Hart	Morgan	Stern
Brady	Eichhorn	Hastings	Murphy C F	Stevenson
Brooks	Ferguson	Hoey	Murphy G W	Stratton
Brough	Feth	Holmes	Nevins	Surpless
Brown	Filley	Hooper	Newton	Todd
Buckley	Flanagan	Hubbs	Northrup	Volk
Burhyte	Foley C F	Hurd	Norton	Voss
Burns	Foley J A	Huth	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Ganly	Lansing	Patton	Waters
Cole	Garbe	Lee	Phillips	Weber
Colné	Geoghagan	Lewis	Prince	Weimert
Conklin	Glore	Loos	Ralston	Wells
Conrady	Gluck	Lowe	Reece	West
Croak	Glynn	Lupton	Robinson	Whitley
Cunningham	Goldberg	Maher	Rogers	Whitney F G
Cuvillier	Gray	Mallon	Schmidt	Whitney G H
De Groot	Green	Mance	Schoeneck	Wood
Dobbs	Gunderman	Marlatt	Schulz	Yale
Dominy	Hackett	Matthews	Sheridan	Young
Donnelly	Hamilton	McCue	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the Senate bill (No. 1547) entitled "An act to amend the Motor Vehicle Law, in relation to re-issuing of registration seal." (Rec. No. 377.)

On motion of Mr. Patton, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpless
rown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimet
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1649) entitled "An act to authorize the city of Olean to sell and convey to the United States of America a portion of the public square in said city, in case such sale be approved by the

electors at a vote to be taken, and providing for taking such vote." (Rec. No. 409.)

On motion of Mr. Volk, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamm	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoe	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1650) entitled "An act to authorize the city of Olean to

acquire the reversionary interest and estate in the lands constituting the public square in said city." (Rec. No. 408.)

On motion of Mr. Volk, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Merritt	Sinclair
Averill	Draper	Hammond	Miller	Smith A E
Baldwin	Dudley	Hamn	Mills	Smith C
Blue	Duell	Harawitz	Mooney	Smith Myron
Bohan	Eagleton	Harper	Morgan	Staley
Boshart]	Eggleston	Harris	Murphy C F	Stern
Brady	Eichhorn	Hart	Murphy G W	Stevenson
Brooks	Ferguson	Hastings	Nevins	Stratton
Brough	Feth	Hoey	Newton	Surpless
Brown	Filley	Holmes	Northrup	Todd
Buckley	Flanagan	Hooper	Norton	Volk
Burhyte	Foley C F	Hubbs	O'Brian	Voss
Burns	Foley J A	Hurd	Oliver	Waddell
Burzynski	Fowler	Jackson	Parker	Wagner
Cavanaugh	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prince	Weber
Colné!]	Garbe	Lewis	Ralston	Weimert
Conklin	Geoghagan	Loos	Reece	Wells
Conrady	Glore	Lowe	Robinson	West
Croak	Gluck	Lupton	Rogers	Whitley
Cunningham	Glynn	Maher	Schmidt	Whitney F G
Cuvillier	Goldberg	Mallon	Schoeneck	Whitney G H
De Groot	Gray	Mance	Schulz	Wood
Dobbs	Green	Marlatt	Sheridan	Yale
Dominy	Gunderman	Matthews	Shuttleworth	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1171) entitled "An act to amend the Tax Law, relative to investment in State bonds by savings banks, trust companies and

insurance companies." (Rec. No. 395.) Said bill having been announced for a second reading, on motion of Mr. Rogers, and by unanimous consent, said bill was made a special order on second and third reading for Tuesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the Senate bill (No. 1246) entitled "An act to authorize the appointment of a commission to inquire into the local government of the city of New York, and the charter thereof, and suggest legislation thereon." (Rec. No. 368.) Said bill having been announced for a second reading, on motion of Mr. Francis, and by unanimous consent, said bill was made a special order on second and third reading for Tuesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the Senate bill (No. 1216) entitled "An act to amend the Code of Criminal Procedure, in relation to the removal of an indictment from the Court of General Sessions of the Peace in and for the county of New York, County Court or City Court to the Supreme Court, and in relation to the admission of a defendant to bail." (Rec. No. 410.)

On motion of Mr. Prentice, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpluss

Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1551, Assembly reprint No. 2787) entitled "An act to empower the Commissioners of the Land Office to release to Charles W. Dayton all the right, title and interest of the people of the State of New York, in and to certain real estate in the city, formerly town of Yonkers, county of Westchester, State of New York, acquired by escheat or forfeiture, upon the death of Charles Scola and Carlo Scola." (Rec. No. 367.)

On motion of Mr. Prentice, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron

Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoe	Nevins	Surples
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrad	Glore	Lowe	Reece	West
Crosk	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the Senate bill (No. 1536) entitled "An act to amend the Railroad Law, in relation to location of route." (Rec. No. 403.) Said bill having been announced for a second reading, on motion of Mr. Merritt, and by unanimous consent, said bill was made a special order on second and third reading for Tuesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the Senate bill (No. 1102) entitled "An act to release certain State lands to the city of Middletown, and town of Wallkill respectively, in the county of Orange, upon certain conditions." (Rec. No. 279.)

On motion of Mr. Hastings, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos J	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gundermann	Matthews	Sheridan	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1118) entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-eight, entitled 'An act for the government of cities of the second class,' in relation to public markets." (Rec. No. 341.)

On motion of Mr. Mead, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Richhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrad	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1443) entitled "An act to amend the uniform charter of cities of the second class, in relation to public markets." (Rec. No. 355.)

On motion of Mr. Mead, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 2793) entitled "An act to amend the Revised Statutes, relative to references in insolvent debtors' proceedings." (Int. No. 1269.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surplless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the bill (No. 2792) entitled "An act to amend the County Law, in relation to killing or injuring of horses, cattle or swine by dogs." (Int. No. 997.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the bill (No. 2816) entitled "An act to amend the Greater New York charter, relating to the uniformed force of the fire department." (Int. No. 757.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Fransbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Guisderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *May 22, 1907.*

Resolved (if the Assembly concur), That there shall be appointed by the Temporary President of the Senate four members of the Senate and by the Speaker of the Assembly five members of the Assembly as a special committee, whose duty it shall be to inquire into the subject of the methods of construction of improved highways and the maintenance and repairs of all highways in the State, together with the general subject of a proper development of the whole system of highway improvement in the State; and whose duty it shall also be to revise and amend the highway laws and to report to the next Legislature on or before February fifteenth, nineteen hundred and eight, the result of said investigation, a revised highway law, together with any bill or bills neces-

sary to carry into effect the recommendations of the joint committee; and said committee shall have the power to prosecute its inquiries in every direction necessary to arrive at a full and correct knowledge of the subject; to send for books, papers and persons; to subpœna and examine witnesses, to employ counsel and a stenographer and to incur necessary traveling and other expenses and the power is granted to said committee to sit after the adjournment of the Legislature; and outside of the city of Albany; and the sum of seven thousand five hundred dollars or so much thereof as may be necessary is hereby appropriated for the expenses of said joint committee out of any appropriation made for the contingent expenses of the Legislature.

By order of the Senate,

LAFAYETTE B. GLEASON,
Clerk.

The Senate returned the Assembly bill (No. 2356, Senate re-print No. 1492, Int. No. 452) entitled "An act to amend the Public Health Law by defining optometry and regulating the practice thereof," with a message that they have concurred in the passage of the same, with the following amendments.

On page 5, strike out lines 10, 11 and 12, and strike out line 13 up to and including the word "expenses" and insert therein the words: "The fees derived from the operation of this act shall be paid into the state treasury, and the legislature shall annually appropriate therefrom for the education department an amount sufficient to pay all proper expenses incurred pursuant to this act".

On page 6, line 2, strike out the word "exception" and insert in place thereof the word "exemption". On page 6, line 11, strike out the word "witness" and insert the word "witnesses". On page 6, line 4, after the word "made", punctuate by inserting a comma ", ". On page 6, line 1, strike out "209-h" and insert "209-g". On page 6, line 16, strike out "209-l" and insert "209-h".

On page 5, strike out all of section "209-g".

On page 2, strike out all of line 5. On page 2, line 5, strike out "29-h" and insert "209-g". On page 2, line 7, strike out "209-i" and insert "209-h".

Mr. West moved to concur in the Senate amendments.

Objection being made to the immediate consideration of said message,

Ordered, That the same be referred to the committee on rules.

The Senate returned the Assembly bill (No. 1754, Senate print No. 1692, Int. No. 218) entitled "An act to amend Domestic Relations Law, in relation to marriages and fees for solemnizing marriages in certain cities," with a message that they have concurred in the passage of the same, with the following amendments:

On page 2, line 3, before the word "three" strike out "subdivision" and insert "subdivisions". Same page and line, before word "three" insert "one and".

Mr. O'Brian moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1717, Senate re-print No. 1666, Int. No. 1359) entitled "An act to prohibit the making or publishing of false or willfully exaggerated statements or publications of or concerning the affairs, pecuniary condition, property or assets of any corporation, joint-stock association, co-partnership or individual, which said statements or publications are intended to give, and shall have a tendency to give, a less or greater apparent value to the shares, bonds, property or assets or part thereof, of said corporation, joint-stock association, co-partnership or individual, than the said shares, bonds, property or assets shall really and in fact possess and providing a penalty therefor," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 1 of title, after "or" insert "willfully". Same page, line 3 of title, after "condition" strike out "or". Same page and line, after "property" insert "or assets". Same page, line 5 of title, after word "give" strike out "or" and insert "and". Same page, line 7 of title, after "bonds" strike out "or". Same page and line, after "property" insert "or assets". Same page, line 9 of title, after "bonds" strike out "or". Same page and line, after "property" insert "or assets".

On page 1, line 1, after the word "who" insert a comma and strike out the word "knowingly" and insert "with intent to defraud,". Same page, line 3, after "report" insert "written or printed".

On page 2, line 7, after "give" strike out "or" and insert "and". Same page, line 9, after "bonds" strike out "or". Same page and line, after "property" insert "or assets". Same page, line 10, after "bonds" strike out "or". Same page, line 11, after property insert "or assets". Same page and line after "bonds" strike out "or". Same page and line, after "property" insert "or assets". Same page, line 12, after "of" strike out "felony" and insert "a misdemeanor". Same page, strike out all of lines 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22. Same page, line 23, before "all" strike out "3" and insert "2". Same page, line 25, strike out "4" and insert "3".

Mr. Cuvillier moved to concur in the Senate amendments.

Objection being made to the immediate consideration of said message,

Ordered, That the same be referred to the committee on rules.

Mr. Weimert offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1637, Senate reprint No. 1259, Int. No. 1082), entitled "An act to amend the Primary Election Law, in relation to excepting first, second and certain third class cities from special enrollment and changing date when enrollment books shall be delivered," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Mills offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 2144, Int. No. 1253), entitled "An act to amend chapter five hundred and ninety-three of the Laws of nineteen hundred and five, entitled 'An act to revise the charter of the city of Johnstown,' generally," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Baldwin offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 2598, Int. No. 1818), entitled "An act authorizing the Marcellus and Otisco Lake Railway Company and the Newark and Marion Railway Company to use locomotive steam power as a motive power," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Hammond offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1263, Senate reprint No. 1567, Int. No. 661), entitled "An act in relation to gas and electricity in the city of Syracuse," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *May 27, 1907.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 1360, Rec. No. 331), entitled "An act to amend chapter ninety-eight of the Laws of nineteen hundred, entitled 'An act making the office of treasurer of Oneida county a salaried office, and regulating the management thereof,' " for the purpose of amendment.

By order of the Senate,

LAFAYETTE B. GLEASON,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *May 27, 1907.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 1359, Assembly reprint No. 2694, Rec. No. 332), entitled "An act to amend chapter three hundred and twenty-one of the Laws of eighteen hundred and ninety-eight, entitled 'An act to make the

office of sheriff of Oneida county a salaried office and to regulate the management thereof,' relative to the appointment and compensation of an office deputy," for the purpose of amendment.

By order of the Senate,

LAFAYETTE B. GLEASON,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill (No. 1607, Int. No. 1296) entitled "An act to amend the Military Code, relative to the composition and strength of the National Guard," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1637, Senate reprint No. 1259, Int. No. 1082), entitled "An act to amend the Primary Election Law, in relation to excepting first, second and certain third class cities from special enrollment and changing date when enrollment books shall be delivered," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1263, Senate reprint No. 1567, Int. No. 661), entitled "An act in relation to gas and electricity in the city of Syracuse," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 2144, Int. No. 1253), entitled "An act to amend chapter five hundred and ninety-three of the Laws of nineteen hundred and five, entitled 'An act to revise the charter of the city of Johnstown,' generally," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 2598, Int. No. 1818), entitled "An act authorizing the Marcellus and Otisco Lake Railway Company and the Newark and Marion Railway Company to use locomotive steam power as a motive power," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication was received from Hon. Henry S. Clarke, mayor of the city of New Rochelle, returning Assembly bill (No. 2296, Int. No. 1671), entitled "An act to amend the charter of the city of New Rochelle, in relation to the salary of the clerk of the board of education," with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. John H. Coyne, mayor of the city of Yonkers, returning Assembly bill (No. 2643, Int. No. 1598), entitled "An act to authorize the grant by the city of Yonkers to the New York Central and Hudson River Railroad Company for railroad purposes of a portion of the lands granted to the city of Yonkers by chapter five hundred and sixty-two of the Laws of eighteen hundred and ninety-nine," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. John H. Coyne, mayor of the city of Yonkers, returning Assembly bill (No. 1398, Int. No. 1158), entitled "An act to enable the board of police commissioners of the city of Yonkers, to review, rehear and determine the charges against James McGowan, formerly a patrolman in the police department of the city of Yonkers, and to reinstate said James McGowan as a patrolman in the said police department," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. James L. Weeks, mayor of the city of Jamestown, returning Assembly bill (No. 2731, Int. No. 1301), entitled "An act to revise and amend the charter of the city of Jamestown," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Henry S. Clarke, mayor of the city of New Rochelle returning Assembly bill (No. 2460 Int. No. 1752) entitled "An act to empower the common council of the city of New Rochelle to issue and sell bonds for the purpose of defraying the expense of certain public improvements," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Moreland, the House adjourned.

TUESDAY, MAY 28, 1907.

The House met pursuant to adjournment.

Prayer by Rev. J. Russell Mowris, Rensselaer.

On motion of Mr. Moreland, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. Speaker presented the annual report of the Secretary of State on statistics of crime, which was laid upon the table and ordered printed.

(See Document No. 64.)

Mr. Burhyte gives notice that he requests that Assembly bill (No. 2235, Int. No. 1644) entitled "An act to amend the Tax Law, in relation to the exemption of lands of union free school districts," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Duell gives notice that he requests that Assembly bill (No. 2358, Int. No. 1556) entitled "An act to amend the Public Health Law, in relation to pharmacists," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Phillips gives notice that he requests that Assembly bill (No. 2462, Int. No. 1754) entitled "An act to amend the Code of Civil Procedure, in relation to awarding costs to an unsuccessful contestant of a will," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Moreland gives notice that he requests that the Assembly bill (No. 2682, Int. No. 1858) entitled "An act to amend section two hundred and twenty-nine of the Tax Law, in relation to defraying the expenses for office rent, stationery, postage, process serving, et cetera, in the appraisal of estates in New York county," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Moreland gives notice that he requests that the Senate bill (No. 1601, Rec. No. 398) entitled "An act making appropriations for construction, additions and improvements at the State hospitals for the insane," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Moreland gives notice that he requests that the Senate bill (No. 1631, Rec. No. 427) entitled "An act to make an appropriation for the payment of the judgments of the Court of Claims, in claims other than those on account of the canals of this State," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Moreland gives notice that he requests that the Senate bill (No. 1632, Rec. No. 426) entitled "An act to make an appropriation for the payment of the judgments of the Court of Claims, in claims arising on account of the canals of this State," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Hart gives notice that he requests that the Senate bill (No. 1529, Rec. No. 412) entitled "An act to amend and consolidate the several acts relating to the department of public instruction in the city of Utica, New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Hart gives notice that he requests that the Senate bill (No. 2772, Rec. No. 162) entitled "An act to amend an act, entitled 'An act for the acquiring of a new court house in the city of Utica,'" a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Stratton gives notice that he requests that the Senate bill (No. 1662, Rec. No. 425) entitled "An act to amend the Election Law, relative to division and alteration of election districts," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Stratton gives notice that he requests that the Senate bill (No. 1550, Rec. No. 407) entitled "An act to amend sections one hundred and eighty-two, one hundred and eighty-four, one hundred and eighty-six, one hundred and ninety, and one hundred and ninety-five of the Tax Law, in relation to the taxation of corporations," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Robinson gives notice that he requests that the Senate bill (No. 837, Assembly reprint No. 2802, Rec. No. 225) entitled "An act to amend the Greater New York charter, in relation to inferior courts of criminal jurisdiction," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Patton gives notice that he requests that the Senate bill (No. 1699, Rec. No. 458) entitled "An act to amend chapter one hundred and forty-seven of the Laws of nineteen hundred and three, entitled 'An act making provision for issuing bonds to the amount of not to exceed one hundred and one million dollars for the improvement of the Erie canal, the Oswego canal and the Champlain canal, and providing for a submission of the same to the people, to be voted upon at the general election to be held in the year nineteen hundred and three,' relative to the advisory board of consulting engineers," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Schulz gives notice that he requests that the Senate bill (No. 1688, Rec. No. 433) entitled "An act to legalize the acts of Edward Polak, a commissioner of deeds," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Burns gives notice that he requests that the Senate bill (No. 1648, Rec. No. 406) entitled "An act to amend chapter five hundred and seven of the Laws of nineteen hundred three, entitled 'An act to abolish certain grade crossings of highways and railroads in the borough of Brooklyn, in the city of New York and county of Kings, and providing for necessary changes in the grades of highways, streets and avenues, and of portions of the railroads and right of way of the New York, Brooklyn and Manhattan Beach Railway Company, leased to the Long Island Railroad Company, and of the Brooklyn Union Elevated Railroad Company, leased to the Brooklyn Heights Railroad Company, so as to abolish present and avoid future grade crossings at grade,

and providing means for the payment for such alterations, or changes," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Oliver gives notice that he requests that the Senate bill (No. 233, Rec. No. 375) entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relative to issuance of subpoenas, and the attendance of witnesses," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Weimert gives notice that he requests that the Senate bill (No. 1299, Rec. No. 379) entitled "An act to provide for the appointment of policemen for the Niagara, Lockport and Ontario Power Company," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Hooper gives notice that he requests that Senate bill (No. 1635, Rec. No. 445) entitled "An act to legalize, ratify and confirm the proceedings of the electors and board of education of union free school district number one, of the town of Schroon, in the county of Essex, relative to the levy of taxes, and the issuance and sale of bonds," a copy of which is hereto annexed, be made a special order and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Burns gives notice that he requests that the Senate bill (No. 1575, Rec. No. 448) entitled "An act to transfer to the city of New York certain property in the borough of Brooklyn, of said city, now used for military purposes," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Bohan gives notice that he requests that the Senate bill

(No. 957, Rec. No. 255) entitled "An act authorizing the municipal civil service commissioners of the city of New York to place on the eligible list of January twelfth, nineteen hundred and seven, applicants for the police department of the city of New York, who have become thirty years of age after the examination held on September twelfth, nineteen hundred and six," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Dobbs gives notice that he requests that the Senate bill (No. 601, Rec. No. 107) entitled "An act to amend section twenty-three of chapter four hundred and sixty-six of the Laws of nineteen hundred and one, known as the Greater New York charter, empowering the mayor of said city to designate the president of the board of aldermen to represent the mayor on the public boards of said city," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Robinson gives notice that he requests that the Senate bill (No. 1610, Rec. No. 425) entitled "An act to amend chapter four hundred and ten of the Laws of eighteen hundred and eighty-two, as amended by chapter six hundred and ninety-six of the Laws of eighteen hundred and ninety-five, entitled 'An act to consolidate into one act, and to declare the special and local laws affecting public interests in the city of New York,' relative to assistant district attorneys in the county of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Brough gives notice that he requests that the Senate bill (No. 1205, Rec. No. 424) entitled "An act to amend the Greater New York charter, in relation to the apportionment of assessments," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Hooper gives notice that he requests that Assembly bill (No. 2410, Int. No. 1716) entitled "An act to amend the Forest, Fish and Game Law, in relation to the transportation of the carcasses and venison of domesticated deer," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Dominy gives notice that he requests that Assembly bill (No. 2490, Int. No. 904) entitled "An act to amend section seventy-four of title two of chapter three of part four of the Revised Statutes, relating to State prisons, relative to the parole of certain prisoners," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Dowling gives notice that he requests that the Senate bill (No. 1558, Rec. No. 414) entitled "An act to amend chapter one hundred and forty-seven of the Laws of nineteen hundred and three, entitled 'An act making provision for issuing bonds to the amount of not to exceed one hundred and one million dollars for the improvement of the Erie canal, the Oswego canal, and the Champlain canal, and providing for a submission of the same to the people, to be voted upon at the general election to be held in the year nineteen hundred and three,' as amended by chapter seven hundred and forty of the Laws of nineteen hundred and five, relative to the route of the improved Erie canal," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

The Senate sent for concurrence the following entitled bills:

"An act to authorize the city of New York to grant to the New York Central and Hudson River Railroad Company, and to its lessors, rights, interests and easements in certain streets, avenues and places in the borough of the Bronx in the said city of New York" (No. 1502, Rec. No. 460), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Insurance Law, in relation to securities

guaranty corporations" (No. 1720, Rec. No. 461), which was read the first time and referred to the committee on insurance.

"An act to authorize the board of trustees of the village of Waterloo, in the county of Seneca, to issue bonds for the payment of certain indebtedness of said village, and to provide for the redemption of said bonds by taxation" (No. 1740, Rec. No. 462), which was read the first time and referred to the committee on affairs of villages.

"An act to amend chapter five hundred and sixty of the Laws of nineteen hundred and two, relative to the department of public instruction in cities of the second class" (No. 1721, Rec. No. 463), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Robinson introduced a bill entitled "An act to amend subdivision two of section sixteen hundred and twenty-seven of the Code of Civil procedure relative to suing the people of the State of New York in actions to foreclose a mortgage" (Int. No. 1952), which was read the first time and referred to the committee on codes.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Burhyte (No. 2235, Int. No. 1644), entitled "An act to amend the Tax Law, in relation to the exemption of bonds of union free school districts."

Also, Assembly bill introduced by Mr. Duell (No. 2358, Int. No. 1556), entitled "An act to amend the Public Health Law, in relation to pharmacists."

Also, Assembly bill introduced by Mr. Phillips (No. 2462, Int. No. 1754), entitled "An act to amend the Code of Civil Procedure, in relation to awarding costs to an unsuccessful contestant of a will."

Also, Assembly bill introduced by Mr. Moreland (No. 2682, Int. No. 1858), entitled "An act to amend section two hundred and twenty-nine of the Tax Law, in relation to defraying the expenses for office rent, stationery, postage, process serving, et cetera, in the appraisal of estates in New York county," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading, immediately after the consideration of the special orders on third

reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading, immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Armstrong (No. 1601, Rec. No. 398), entitled "An act making appropriations for construction, additions and improvements at the State hospitals for the insane."

Also, Senate bill introduced by Mr. Armstrong (No. 1631, Rec. No. 427), entitled "An act to make an appropriation for the payment of the judgments of the Court of Claims, in claims other than those on account of the canals of this State."

Also, Senate bill introduced by Mr. Armstrong (No. 1632, Rec. No. 426), entitled "An act to make an appropriation for the payment of the judgments of the Court of Claims, in claims arising on account of the canals of this State."

Also, Senate bill introduced by Mr. Ackroyd (No. 1529, Rec. No. 412), entitled "An act to amend and consolidate the several acts relating to the department of public instruction in the city of Utica, New York."

Also, Senate bill introduced by Mr. Ackroyd (No. 936, Assembly reprint No. 2772, Rec. No. 162), entitled "An act to amend an act entitled 'An act to provide for the acquiring of a site and the erection and furnishing of a new court house in the city of Utica for the use of the county of Oneida, and to provide means to defray the expense thereof and to sell the present court house and site and the county clerk's office and site, situate in Utica,' as amended by chapter one hundred and thirty-two of the Laws of nineteen hundred and five."

Also, Senate bill introduced by Mr. Allds (No. 1662, Rec. No. 425), entitled "An act to amend the Election Law, relative to division and alteration of election districts."

Also, Senate bill introduced by Mr. Allds (No. 1550, Rec. No. 407), entitled "An act to amend sections one hundred and eighty-two, one hundred and eighty-four, one hundred and eighty-six, one hundred and ninety, and one hundred and ninety-five of the Tax Law, in relation to the taxation of corporations."

Also, Senate bill introduced by Mr. Agnew (No. 837, Assembly reprint No. 2802, Rec. No. 225), entitled "An act to amend the Greater New York charter, in relation to inferior courts of criminal jurisdiction."

Also, Senate bill introduced by committee of finance (No. 1699, Rec. No. 458), entitled "An act to amend chapter one hundred and forty-seven of the Laws of nineteen hundred and three, entitled 'An act making provision for issuing bonds to the amount of not to exceed one hundred and one million dollars for the improvement of the Erie canal, the Oswego canal and the Champlain canal, and providing for a submission of the same to the people be voted upon at the general election to be held in the year nineteen hundred and three,' relative to the advisory board of consulting engineers."

Also, Senate bill introduced by Mr. Cohalan (No. 1688, Rec. No. 433), entitled "An act to legalize the acts of Edward Polak, a commissioner of deeds."

Also, Senate bill introduced by Mr. Cullen (No. 1648, Rec. No. 406), entitled "An act to amend chapter five hundred and seven of the Laws of nineteen hundred three, entitled 'An act to abolish certain grade crossings of highways and railroads in the borough of Brooklyn in the city of New York and county of Kings, and providing for necessary changes in the grades of highways, streets and avenues, and of portions of the railroad and right of way of the New York, Brooklyn and Manhattan Beach Railway Company, leased to the Long Island Railroad Company, and of the Brooklyn Union Elevated Railroad Company, leased to the Brooklyn Heights Railroad Company, so as to abolish present and avoid future crossings at grade, and providing means for the payment of such alterations or changes.'"

Also, Senate bill introduced by Mr. Cohalan (No. 233, Rec. No. 375), entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relative to the issuance of subpoenas and the attendance of witnesses."

Also, Senate bill introduced by Mr. Franchot (No. 1299, Rec. No. 379), entitled "An act to provide for the appointment of

policemen for the Niagara, Lockport and Ontario Power Company."

Also, Senate bill introduced by Mr. Knapp (No. 1635, Rec. No. 445), entitled "An act to legalize, ratify and confirm the proceedings of the electors and board of education of union free school district number one of the town of Schroon, in the county of Essex, relative to the levy of taxes, and the issuance and sale of bonds."

Also, Senate bill introduced by Mr. McCarren (No. 1575, Rec. No. 448), entitled "An act to transfer to the city of New York certain property in the borough of Brooklyn, of said city, now used for military purposes."

Also, Senate bill introduced by Mr. McManus (No. 957, Rec. No. 255), entitled "An act authorizing the municipal civil service commissioners of the city of New York to place on the eligible list of January twelfth, nineteen hundred and seven, applicants for the police department of the city of New York who have become thirty years of age after the examination held on September twelfth, nineteen hundred and six."

Also, Senate bill introduced by Mr. Ownes (No. 601, Rec. No. 107), entitled "An act to amend section twenty-three of chapter four hundred and sixty-six of the Laws of nineteen hundred and one, known as the charter of the city of New York, empowering the mayor of said city to designate the president of the board of aldermen to represent the mayor on the public boards of said city."

Also, Senate bill introduced by Mr. Page (No. 1610, Rec. No. 423), entitled "An act to amend chapter four hundred and ten of the Laws of eighteen hundred and eighty-two, as amended by chapter six hundred and ninety-six of the Laws of eighteen hundred and ninety-five, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relative to assistant district attorneys in the county of New York."

Also, Senate bill introduced by Mr. Saxe (No. 1205, Rec. No. 424), entitled "An act to amend the Greater New York charter, in relation to the apportionment of assessments," reported in favor of the passage of the same without amendment, and that the same

be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Hooper (No. 2410, Int. No. 1716), entitled "An act to amend the Forest, Fish and Game Law, in relation to the transportation of the carcasses and venison of domesticated deer."

Also, Assembly bill introduced by Mr. Waddell (No. 2490, Int. No. 904), entitled "An act to amend section seventy-four of title two of chapter three of part four of the Revised Statutes, relating to State prisons, relative to the parole of certain prisoners," reported in favor of the passage of the same without amendment, and that the same be made a special order on third reading immediately, which report was agreed to, and said bills ordered made special orders on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill introduced by Mr. Foelker (No. 1558, Rec. No. 414), entitled "An act to amend chapter one hundred and forty-seven of the Laws of nineteen hundred and three, entitled 'An act making provision for issuing bonds to the amount of not to exceed one hundred and one million dollars for the improvement of the Erie canal, the Oswego canal and the Champlain canal, and providing for a submission of the same to the people to be voted upon at the general election to be held in the year nineteen hundred and three,' as amended by chapter seven hundred and forty of the Laws of nineteen hundred and five, relative to the route of the improved Erie canal," reported the same with the following amendments:

Page 3, line 21, inclose the words "harbor to Buffalo" in brackets.

Page 3, line 21, before the word "and" insert "ship canal to and through the Erie basin to Buffalo river".

Page 4, line 6, after the word "feet" insert "the channel through to the Erie basin, when completed, shall have a depth of not less than twenty-three feet below mean lake level and a width of not less than two hundred feet".

and requests that said bill be reprinted, as amended, and recommitted to said committee, which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. Speaker announced the special order, being the bill (No. 2410) entitled "An act to amend the Forest, Fish and Game Law, in relation to the transportation of the carcasses and venison of domesticated deer." (Int. No. 1716.)

On motion of Mr. Hooper, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Matthews	Sheridan
Averill	Draper	Hamilton	Merritt	Shuttleworth
Baldwin	Dudley	Hammond	Miller	Sinclair
Baumann	Duell	Hamn	Mills	Smith A E
Blue	Eagleton	Harper	Mooney	Smith C
Boshart	Eggleston	Harris	Moreland	Stern
Brady	Eichhorn	Hart	Morgan	Stevenson
Brooks	Farrell	Hastings	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Voss
Burhyte	Foley C F	Hubbs	Norton	Waddell
Burns	Foley J A	Hurd	O'Brian	Wagner
Cavanaugh	Fowler	Huth	Oliver	Wainwright
Chamberlain	Francis	Jackson	Parker	Waters
Cole	Frisbie	Jacobs	Patton	Weber
Collins	Ganly	Lansing	Phillips	Weimert
Colné	Garbe	Lee	Prentice	Wells
Conklin	Geoghagan	Lewis	Ralston	West
Conrady	Glore	Loos	Reece	Whitley
Croak	Glynn	Lowe	Robinson	Whitney F G
Cunningham	Goldberg	Lupton	Rogers	Whitney G H
Cuvillier	Gray	Maher	Schmidt	Winters
De Groot	Green	Mallon	Schooneck	Wood
Dominy	Gunderman	Mance	Schulz	Yale
Donnelly	Hackett	Marlatt	Schwegler	Young

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2490) entitled "An act to amend section seventy-four of title two of chapter three of part four of the Revised Statutes, relating to State prisons relative to the parole of certain prisoners." (Int. No. 904.)

On motion of Mr. Waddell, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hammond	Miller	Sinclair
Averill	Dudley	Hamn	Mills	Smith A E
Baldwin	Duell	Harper	Mooney	Smith C
Baumann	Eagleton	Harris	Moreland	Smith Myron
Blue	Eggleston	Hart	Morgan	Stern
Boshart	Eichhorn	Hastings	Murphy G W	Stevenson
Brady	Farrell	Hoey	Nevins	Stratton
Brooks	Ferguson	Holmes	Newton	Surples
Brough	Feth	Hooper	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Foley C F	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jackson	Parker	Wagner
Cavanaugh	Francis	Jacobs	Patton	Wainwright
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Ralston	Weimert
Colné	Geoghagan	Loos	Reece	Wells
Conklin	Glore	Lowe	Robinson	West
Conrady	Glynn	Lupton	Rogers	Whitley
Croak	Goldberg	Maher	Schmidt	Whitney F G
Cunningham	Gray	Mallon	Schoeneck	Whitney G H
Cuvillier	Green	Mance	Schulz	Winters
De Groot	Gunderman	Marlatt	Schwegler	Wood
Dominy	Hackett	Mead	Sheridan	Yale
Donnelly	Haines	Merritt	Shuttleworth	Young
Dowling	Hamilton			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2806) entitled "An act to amend the Election Law, in relation to filling vacancies in elective offices." (Int. No. 1901.)

On motion of Mr. Rogers, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Matthews	Sheridan
Averill	Draper	Hamilton	Merritt	Shuttleworth
Baldwin	Dudley	Hammond	Miller	Sinclair
Baumann	Duell	Hamn	Mills	Smith A E
Blue	Eagleton	Harper	Mooney	Smith C
Boshart	Eggleston	Harris	Moreland	Stern
Brady	Eichhorn	Hart	Morgan	Stevenson
Brooks	Farrell	Hastings	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Voss
Burhyte	Foley C F	Hubbs	Norton	Waddell
Burns	Foley J A	Hurd	O'Brian	Wagner
Cavanaugh	Fowler	Huth	Oliver	Wainwright
Chamberlain	Francis	Jackson	Parker	Waters
Cole	Frisbie	Jacobs	Patton	Weber
Collins	Ganly	Lausing	Phillips	Weimert
Colné	Garbe	Lee	Prentice	Wells
Conklin	Geoghagan	Lewis	Ralston	West
Conrady	Glore	Loos	Reece	Whitley
Croak	Glynn	Lowe	Robinson	Whitney F G
Cunningham	Goldberg	Lupton	Rogers	Whitney G H
Cuvillier	Gray	Maher	Schmidt	Winters
De Groot	Green	Mallon	Schoeneck	Wood
Dominy	Gunderman	Mance	Schulz	Yale
Donnelly	Hackett	Marlatt	Schwegler	Young

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2805) entitled "An act relating to right of persons to go upon unimproved lands." (Int. No. 1582.)

On motion of Mr. Merritt, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

AYES 50

NOES 51

Those who voted in the affirmative were:

Bohan	Conrad	Frisbie	Lewis	Schoeneck
Brady	Cuvillier	Green	Lowe	Schwegler
Brooks	De Groot	Hackett	Mance	Sinclair
Brough	Dominy	Haines	Merritt	Smith A. L.
Brown	Draper	Harper	Mills	Surpless
Burhyte	Eagleton	Hart	Mooney	Wainwright
Burns	Eichhorn	Hastings	Oliver	Weber
Chamberlain	Ferguson	Hooper	Patton	Whitney G. H.
Collins	Filley	Hurd	Ralston	Yale
Colné	Francis	Lee	Robinson	Young

Those who voted in the negative were:

Allen	Eggleston	Glynn	Moreland	Staley
Averill	Farrell	Harris	Morgan	Stanton
Baumann	Fay	Holmes	Newton	Stern
Blue	Foley C. F.	Huth	Northrup	Stratton
Burzynski	Foley J. A.	Lansing	Parker	Volk
Cole	Fowler	Lupton	Rogers	Walters
Conklin	Ganly	Maher	Schmidt	Waters
Cunningham	Geoghagan	Mallon	Schulz	West
Donnelly	Glore	Marlatt	Smith C.	Whitley
Dudley	Gluck	Miller	Smith Myron	Winters
Duell				

Mr. Merritt moved to reconsider the vote by which said bill was lost, and that said motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was decided in the affirmative.

Mr. Speaker announced the special order, being the Senate bill (No. 1254, Assembly reprint No. 2804) entitled "An act to amend section four hundred and one of the Penal Code, relative to certain offenses connected with the dispensing and sale of drugs and medicines." (Rec. No. 278.)

On motion of Mr. Robinson, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hammond	Miller	Sinclair
Averill	Dudley	Hamn	Mills	Smith A E
Baldwin	Duell	Harper	Mooney	Smith C
Baumann	Eagleton	Harris	Moreland	Smith Myron
Blue	Eggleston	Hart	Morgan	Stern
Boshart	Eichhorn	Hastings	Murphy G W	Stevenson
Brady	Farrell	Hoey	Nevins	Stratton
Brooks	Ferguson	Holmes	Newton	Surpless
Brough	Feth	Hooper	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Foley C F	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jackson	Parker	Wagner
Cavanaugh	Francis	Jacobs	Patton	Wainwright
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Ralston	Weimert
Colné	Geoghagar	Loos	Reece	Wells
Conklin	Glore	Lowe	Robinson	West
Conrady	Glynn	Lupton	Rogers	Whitley
Croak	Goldberg	Maher	Schmidt	Whitney F G
Cunningham	Gray	Mallon	Schoeneck	Whitney G H
Cuvillier	Green	Mance	Schulz	Winters
De Groot	Gunderman	Marlatt	Schwegler	Wood
Dominy	Hackett	Matthews	Sheridan	Yale
Donnelly	Haines	Mead	Shuttleworth	Young
Dowling	Hamilton	Merritt		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the Senate bill (No. 1170, Assembly reprint No. 2803) entitled "An act to amend section twelve of the Forest, Fish and Game Law, as amended by

section two of chapter five hundred and eighty of the Laws of nineteen hundred and four." (Rec. No. 301.)

On motion of Mr. Mills, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hammond	Miller	Sinclair
Averill	Dudley	Hamn	Mills	Smith A E
Baldwin	Duell	Harper	Mooney	Smith C
Baumann	Eagleton	Harris	Moreland	Smith Myron
Blue	Eggleston	Hart	Morgan	Stern
Boshart	Eichhorn	Hastings	Murphy G W	Stevenson
Brady	Farrell	Hoey	Nevins	Stratton
Brooks	Ferguson	Holmes	Newton	Surpless
Brough	Feth	Hooper	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Foley C F	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jackson	Parker	Wagner
Cavanaugh	Francis	Jacobs	Patton	Wainwright
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Ralston	Weimert
Colné	Geoghagan	Loos	Reece	Wells
Conklin	Glore	Lowe	Robinson	West
Conrad	Glynn	Lupton	Rogers	Whitley
Croak	Goldberg	Maher	Schmidt	Whitney F G
Cunningham	Gray	Mallon	Schoeneck	Whitney G H
Cuvillier	Green	Mance	Schulz	Winters
De Groot	Gunderman	Marlatt	Schwegler	Wood
Dominy	Hackett	Matthews	Sheridan	Yale
Donnelly	Haines	Mead	Shuttleworth	Young
Dowling	Hamilton	Merritt		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the bill (No. 2763) entitled "An act to legalize the acts of Edward Polak, a commissioner of deeds." (Int. No. 1893.)

Said bill having been announced for a second reading,

On motion of Mr. Schulz, said bill was laid aside and ordered stricken from the calendar.

Mr. Speaker announced the special order, being the Senate bill (No. 1429) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for hares and rabbits in Erie, Genesee, Wyoming and other counties." (Rec. No. 363.)

Said bill having been announced for a second reading,

On motion of Mr. Allen, said bill was recommitted to the committee on rules, retaining its place on the order of second reading.

Mr. Moreland moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Allen	De Groot	Gluck	Merritt	Smith C
Averill	Dobbs	Glynn	Miller	Smith Myron
Baumann	Dominy	Green	Mills	Staley
Blue	Dowling	Gunderman	Moreland	Stanton
Bohan	Draper	Hackett	Morgan	Stern
Boshart	Dudley	Haines	Newton	Stratton
Brady	Duell	Hamn	Northrup	Surpless
Brooks	Eagleton	Harris	Norton	Volk
Brough	Eggleston	Hart	O'Brian	Wagner
Brown	Eichhorn	Hastings	Oliver	Wainwright
Burhyte	Farrell	Holmes	Parker	Walters
Burns	Fay	Hooper	Patton	Waters
Burzynski	Ferguson	Hurd	Ralston	Weber
Cavanaugh	Filley	Lansing	Robinson	Weimert
Chamberlain	Foley C F	Lee	Rogers	West
Cole	Foley J A	Lewis	Schmidt	Whitley
Collins	Fowler	Lowe	Schoeneck	Whitney F G
Colné	Francis	Lupton	Schulz	Whitney G H
Conklin	Frisbie	Maher	Schwegler	Winters
Conrady	Ganly	Mallon	Sinclair	Yale
Cunningham	Geoghagan	Mance	Smith A F	Young
Cuvillier	Glore	Marlatt		

Mr. Moreland moved that the call of the House be made a close call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the Senate bill (No. 1171) entitled "An act to amend the Tax Law, relative to investment in State bonds by savings banks, trust companies and insurance companies." (Rec. No. 395.)

Debate was had thereon, when Mr. Moreland moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

On motion of Mr. Moreland, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 92

NOES 11

Those who voted in the affirmative were:

Blue	Dominy	Geoghagan	Maher	Schwegler
Bohan	Donnelly	Glore	Mallon	Sheridan
Boshart	Dowling	Gluck	Mance	Smith A E
Brady	Draper	Glynn	Merritt	Smith C
Brooks	Dudley	Goldberg	Miller	Staley
Brough	Duell	Green	Mills	Stanton
Brown	Eagleton	Hackett	Morgan	Stern
Burhyte	Eggleston	Harper	Northrup	Surpless
Burns	Eichhorn	Harris	Norton	Volk
Burzynski	Farrell	Hart	O'Brian	Wagner
Cavanaugh	Fay	Hastings	Oliver	Wainwright
Collins	Ferguson	Hooper	Parker	Walters
Colné	Filley	Hurd	Patton	Waters
Conklin	Foley C F	Lansing	Ralston	Weber
Conrady	Foley J A	Lee	Robinson	Weimert
Cunningham	Fowler	Lewis	Schmidt	Whitney G H
Cuvillier	Francis	Lowe	Schoeneck	Winters
De Groot	Frisbie	Lupton	Schulz	Young
Dobbs	Ganly			

Those who voted in the negative were:

Allen	Cole	Marlatt	Smith Myron	West
Averill	Holmes	Rogers	Stratton	Whitley
Chamberlain				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1246) entitled "An act to authorize the appointment of a

commission to inquire into the local government of the city of New York and the charter thereof, and suggest legislation thereon." (Rec. No. 368.)

On motion of Mr. Robinson, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 76

NOES 33

Those who voted in the affirmative were:

Allen	Dowling	Hart	Moreland	Stanton
Averill	Draper	Hastings	Morgan	Surpless
Blue	Dudley	Hooper	Newton	Volk
Boshart	Duell	Hurd	Norton	Wainwright
Brady	Eggleston	Lansing	O'Brian	Waters
Brooks	Ferguson	Lee	Parker	Weber
Brough	Filley	Lewis	Patton	Weimert
Brown	Fowler	Lowe	Ralston	Wells
Burhyte	Francis	Lupton	Robinson	West
Chamberlain	Frisbie	Maher	Rogers	Whitley
Cole	Glore	Mance	Schoeneck	Whitney G. H
Colné	Green	Marlatt	Sinclair	Winters
Conklin	Haines	Merritt	Smith C	Yale
Cunningham	Hamn	Miller	Smith Myron	Young
De Groot	Harris	Mills	Staley	Speaker
Dominy				

Those who voted in the negative were:

Baumann	Eagleton	Garbe	Huth	Schwegler
Bohan	Eichhorn	Geoghagan	Mallon	Smith A E
Collins	Farrell	Gluck	Northrup	Stern
Conrady	Fay	Glynn	Oliver	Stratton
Cuvillier	Foley C F	Hackett	Schmidt	Wagner
Dobbs	Foley J A	Harper	Schulz	Walters
Donnelly	Gawly	Holmes		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1536) entitled "An act to amend the Railroad Law, in relation to location of route." (Rec. No. 403.)

Said bill having been announced for a second reading,

On motion of Mr. Sinclair, and by unanimous consent, said bill was made a special order on second and third reading for Tuesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 2235) entitled "An act to amend the Tax Law, in relation to the exemption of bonds of union free school districts." (Int. No. 1644.)

On motion of Mr. Burhyte, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Matthews	Sheridan
Averill	Draper	Hamilton	Merritt	Shuttleworth
Baldwin	Dudley	Hammond	Miller	Sinclair
Baumann	Duell	Hamn	Mills	Smith A E
Blue	Eagleton	Harper	Mooney	Smith C
Boshart	Eggleston	Harris	Moreland	Stern
Brady	Eichhorn	Hart	Morgan	Stevenson
Brooks	Farrell	Hastings	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Voss
Burhyte	Foley C F	Hubbs	Norton	Waddell
Burns	Foley J A	Hurd	O'Brian	Wagner
Cavanaugh	Fowler	Huth	Oliver	Wainwright
Chamberlain	Francis	Jackson	Parker	Waters
Cole	Frisbie	Jacobs	Patton	Weber
Collins	Ganly	Lansing	Phillips	Weimert
Colné	Garbe	Lee	Prentice	Wells
Conklin	Geoghagan	Lewis	Ralston	West
Conrady	Glore	Loos	Reece	Whitley
Croak	Glynn	Lowe	Robinson	Whitney F G
Cunningham	Goldberg	Lupton	Rogers	Whitney G H
Cuvillier	Gray	Maher	Schmidt	Winters
De Groot	Green	Mallon	Schoeneck	Wood
Doniny	Gunderman	Mance	Schulz	Yale
Donnelly	Hackett	Marlatt	Schwegler	Young

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2358) entitled "An act to amend the Public Health Law, in relation to pharmacists." (Int. No. 1556.)

On motion of Mr. Duell, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 2

Those who voted in the affirmative were:

Apgar	Dowling	Hamilton	• Miller	Shuttleworth
Averill	Draper	Hamn	Mills	Sinclair
Baldwin	Dudley	Harper	Mooney	Smith A E
Baumann	Duell	Harris	Moreland	Smith C
Blue	Eagleton	Hart	Morgan	Smith Myron
Boshart	Eggleston	Hastings	Murphy G W	Stern
Brady	Eichhorn	Hoey	Nevins	Stevenson
Brooks	Farrell	Holmes	Newton.	Stratton
Brough	Ferguson	Hooper	Northrup	Surpless
Brown	Feith	Hubbs	Norton	Todd
Buckley	Filley	Hurd	O'Brian	Volk
Burhyte	Foley J A	Huth	Oliver	Voss
Burns	Fowler	Jackson	Parker	Waddell
Cavanaugh	Francis	Jacobs	Patton	Wagner
Chamberlain	Frisbie	Lansing	Phillips	Wainwright
Cole	Ganly	Lee	Prentice	Waters
Collins	Garbe	Lewis	Ralston	Weber
Colné	Geoghagan	Loos	Reece	Weimert
Conklin	Glore	Lowe	Robinson	Wells
Conrady	Glynn	Lupton	Rogers	West
Croak	Goldberg	Maher	Schmidt	Whitley
Cunningham	Gray	Mallon	Schoeneck	Winters
Cuvillier	Green	Mance	Schulz	Wood
De Groot	Gunderman	Marlatt	Schwegler	Yale
Dominy	Hackett	Merritt	Sheridan	Young
Donnelly	Haines			

Those who voted in the negative were:

Foley C F Whitney G H

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2462) entitled "An act to amend the Code of Civil Procedure, in relation to awarding costs to an unsuccessful contestant of a will." (Int. No. 1754.)

On motion of Mr. Phillips, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Matthews	Sheridan
Averill	Draper	Hamilton	Merritt	Shuttleworth
Baldwin	Dudley	Hammond	Miller	Sinclair
Baumann	Duell	Hamm	Mills	Smith A J
Blue	Eagleton	Harper	Mooney	Smith C
Boshart	Eggleston	Harris	Moreland	Stern
Brad	Eichhorn	Hart	Morgan	Stevenson
Brooks	Farrell	Hastings	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Voss
Burhyte	Foley C F	Hubbs	Norton	Wadde
Burns	Foley J A	Hurd	O'Brian	Wagner
Cavanaugh	Fowler	Huth	Oliver	Wainwright
Chamberlain	Francis	Jackson	Parker	Waters
Cole	Frisbie	Jacobs	Patton	Weber
Collins	Ganly	Lansing	Phillips	Weimert
Colné	Garbe	Lee	Prentice	Wells
Conklin	Geoghagan	Lewis	Ralston	West
Conrady	Glore	Loos	Reece	Whitley
Croak	Glynn	Lowe	Robinson	Whitney F C
Cunningham	Goldberg	Lupton	Rogers	Whitney G F
Cuvillier	Gray	Maher	Schmidt	Winters
De Groot	Green	Mallon	Schoeneck	Wood
Dominy	Gunderman	Mance	Schulz	Yale
Donnelly	Hackett	Marlatt	Schwegler	Young

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2682) entitled "An act to amend section two hundred and twenty-nine of the Tax Law, in relation to defraying the expenses for

office rent, stationery, postage, process serving, et cetera, in the appraisal of estates in New York county." (Int. No. 1858.)

On motion of Mr. Moreland, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Matthews	Sheridan
Averill	Draper	Hamilton	Merritt	Shuttleworth
Baldwin	Dudley	Hammond	Miller	Sinclair
Baumann	Duell	Hamm	Mills	Smith A E
Blue	Eagleton	Harper	Mooney	Smith C
Boshart	Eggleston	Harris	Moreland	Stern
Brady	Eichhorn	Hart	Morgan	Stevenson
Brooks	Farrell	Hastings	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Voss
Burhyte	Foley C F	Hubbs	Norton	Waddell
Burns	Foley J A	Hurd	O'Brian	Wagner
Cavanaugh	Fowler	Huth	Oliver	Wainwright
Chamberlain	Francis	Jackson	Parker	Waters
Cole	Frisbie	Jacobs	Patton	Weber
Collins	Ganly	Lansing	Phillips	Weimert
Colné	Garbe	Lee	Prentice	Wells
Conklin	Geoghagan	Lewis	Ralston	West
Conrady	Glore	Loos	Reece	Whitley
Croak	Glynn	Lowe	Robinson	Whitney F G
Cunningham	Goldberg	Luptor	Rogers	Whitney G H
Cuvillier	Gray	Maher	Schmidt	Winters
De Groot	Green	Mallon	Schoeneck	Wood
Dominy	Gunderman	Mance	Schulz	Yale
Donnelly	Hackett	Marlatt	Schwegler	Young

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1601) entitled "An act making appropriations for construction, additions and improvements at the State hospitals for the insane." (Rec. No. 398.)

On motion of Mr. Moreland, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 1

Those who voted in the affirmative were:

Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baldwin	Dudley	Hamn	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eagleton	Harris	Morgan	Stern
Boshart	Eggleston	Hart	Murphy G W	Stevenson
Brady	Eichhorn	Hastings	Nevins	Stratton
Brooks	Farrell	Hoey	Newton	Surpless
Brough	Ferguson	Holmes	Northrup	Todd
Brown	Feth	Hooper	Norton	Volk
Buckley	Filley	Hubbs	O'Brian	Voss
Burhyte	Foley J A	Hurd	Oliver	Waddell
Burns	Fowler	Huth	Parker	Wagner
Cavanaugh	Francis	Jackson	Patton	Wainwright
Chamberlain	Frisbie	Jacobs	Phillips	Waters
Cole	Ganly	Lansing	Prentice	Weber
Collins	Garbe	Lee	Ralston	Weimert
Colné	Geoghagan	Lewis	Reece	Wells
Conklin	Glore	Loos	Robinson	West
Conrady	Glynn	Lowe	Rogers	Whitley
Croak	Goldberg	Lupton	Schmidt	Whitney G H
Cunningham	Gray	Maher	Schoeneck	Winters
Cuvillier	Green	Mallon	Schulz	Wood
De Groot	Gundelman	Mance	Schwegler	Yale
Dominy	Hackett	Marlatt	Sheridan	Young
Donnelly	Haines	Merritt	Shuttleworth	

In the negative:

Foley C F

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1631) entitled "An act to make an appropriation for the payment of the judgments of the Court of Claims in claims other than those on account of the canals of this State." (Rec. No. 427.)

On motion of Mr. Averill, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof. and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Miller	Sinclair
Averill	Draper	Hamilton	Mills	Smith A E
Baldwin	Dudley	Hamn	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eagleton	Harris	Morgan	Stern
Boshart	Eggleston	Hart	Murphy G W	Stevenson
Brady	Eichhorn	Hastings	Nevins	Stratton
Brooks	Farrell	Hoey	Newton	Surpless
Brough	Ferguson	Holmes	Northrup	Todd
Brown	Feth	Hooper	Norton	Volk
Buckley	Filley	Hubbs	O'Brian	Voss
Burhyte	Foley C F	Hurd	Oliver	Waddell
Burns	Foley J A	Huth	Parker	Wagner
Cavanaugh	Fowler	Jackson	Patton	Wainwright
Chamberlain	Francis	Jacobs	Phillips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Ralston	Weimert
Colné	Garbe	Lewis	Reece	Wells
Conklin	Geoghagan	Loos	Robinson	West
Conradly	Glore	Lowe	Rogers	Whitley
Croak	Glynn	Lupton	Schmidt	Whitney G H
Cunningham	Goldberg	Maher	Schoeneck	Winters
Cuvillier	Gray	Mallon	Schulz	Wood
De Groot	Green	Mance	Schwegler	Yale
Dominy	Gunderman	Marlatt	Sheridan	Young
Donnelly	Hackett	Merriitt	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1631) entitled "An act to make an appropriation for the payment of the judgments of the Court of Claims, in claims arising on account of the canals of this State." (Rec. No. 426.)

On motion of Mr. Averill, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Miller	Sinclair
Averill	Draper	Hamilton	Mills	Smith A E
Baldwin	Dudley	Hamn	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eagleton	Harris	Morgan	Stern
Boshart	Eggleston	Hart	Murphy G W	Stevenson
Brady	Eichhorn	Hastings	Nevins	Stratton
Brooks	Farrell	Hoey	Newton	Surpless
Brough	Ferguson	Holmes	Northrup	Todd
Brown	Feth	Hooper	Norton	Volk
Buckley	Filley	Hubbs	O'Brian	Voss
Burhyte	Foley C F	Hurd	Oliver	Waddell
Burns	Foley J A	Huth	Parker	Wagner
Cavanaugh	Fowler	Jackson	Patton	Wainwright
Chamberlain	Francis	Jacobs	Phillips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Ralston	Weimert
Colné	Garbe	Lewis	Reece	Wells
Conklin	Geoghagan	Loos	Robinson	West
Conrad	Glore	Lowe	Rogers	Whitley
Croak	Glynn	Lupton	Schmidt	Whitney G H
Cunningham	Goldberg	Maher	Schoeneck	Winters
Cuvillier	Gray	Mallon	Schulz	Wood
De Groot	Green	Mance	Schwegler	Yale
Dominy	Gunderman	Marlatt	Sheridan	Young
Donnelly	Hackett	Merritt	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1529) entitled "An act to amend and consolidate the several acts relating to the department of public instruction in the city of Utica, New York." (Rec. No. 412.)

On motion of Mr. Hart, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Miller	Sinclair
Averill	Draper	Hamilton	Mills	Smith A E
Baldwin	Dudley	Hamn	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eagleton	Harris	Morgan	Stern
Boshart	Eggleston	Hart	Murphy G W	Stevenson
Brady	Eichhorn	Hastings	Nevins	Stratton
Brooks	Farrell	Hoev	Newton	Surpless
Brough	Ferguson	Holmes	Northrup	Todd
Brown	Feth	Hooper	Norton	Volk
Buckley	Filley	Hubbs	O'Brian	Voss
Burhyte	Foley C F	Hurd	Oliver	Waddell
Burns	Foley J A	Huth	Parker	Wagner
Cavanaugh	Fowler	Jackson	Patton	Wainwright
Chamberlain	Francis	Jacobs	Phillips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Ralston	Weimert
Colné	Garbe	Lewis	Reece	Wells
Conklin	Geoghagan	Loos	Robinson	West
Conrady	Glore	Lowe	Rogers	Whitley
Croak	Glynn	Lupton	Schmidt	Whitney G H
Cunningham	Goldberg	Maher	Schoeneck	Winters
Cuvillier	Gray	Mallon	Schulz	Wood
De Groot	Green	Mance	Schwegler	Yale
Dominy	Gunderman	Marlatt	Sheridan	Young
Donnelly	Hackett	Merritt	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 936, Assembly reprint No. 2772) entitled "An act to amend an act entitled 'An act to provide for the acquiring of a site and the erection and furnishing of a new court house in the city of Utica for the use of the county of Oneida, and to provide means to defray the expense thereof and to sell the present court house and site and the county clerk's office and site, situate in Utica,' as amended by chapter one hundred and thirty-two of the Laws of nineteen hundred and five." (Rec. No. 162.)

Said bill having been announced for a second reading,

On motion of Mr. Blue, and by unanimous consent, said bill was

made a special order on second and third reading for Tuesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the Senate bill (No. 1662) entitled "An act to amend the Election Law, relative to division and alteration of election districts." (Rec. No. 425.)

On motion of Mr. Rogers, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Miller	Sinclair
Averill	Draper	Hamilton	Mills	Smith A E
Baldwin	Dudley	Hamn	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eagleton	Harris	Morgan	Stern
Boshart	Eggleston	Hart	Murphy G W	Stevenson
Brady	Eichhorn	Hastings	Nevins	Stratton
Brooks	Farrell	Hoey	Newton	Surpluss
Brough	Ferguson	Holmes	Northrup	Todd
Brown	Feth	Hooper	Norton	Volk
Buckley	Filley	Hubbs	O'Brian	Voss
Burhyte	Foley C F	Hurd	Oliver	Waddell
Burns	Foley J A	Huth	Parker	Wagner
Cavanaugh	Fowler	Jackson	Patton	Wainwright
Chamberlain	Francis	Jacobs	Phillips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Ralston	Weimert
Colné	Garbe	Lewis	Reece	Wells
Conklin	Geoghagan	Loos	Robinson	West
Conrady	Glore	Lowe	Rogers	Whitley
Croak	Glynn	Lupton	Schmidt	Whitney G H
Cunningham	Goldberg	Maher	Schoeneck	Winters
Cuvillier	Gray	Mallon	Schulz	Wood
De Groot	Green	Mance	Schwegler	Yale
Dominy	Gunderman	Marlatt	Sheridan	Young
Donnelly	Hackett	Merritt	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1550) entitled "An act to amend sections one hundred and

eighty-two, one hundred and eighty-four, one hundred and eighty-six, one hundred and ninety, and one hundred and ninety-five of the Tax Law, in relation to the taxation of corporations." (Rec. No. 407.)

On motion of Mr. Stratton, said bill was read the second time and ordered to a third reading. .

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Haines	Merritt	Shuttleworth
Averill	Draper	Hamilton	Miller	Sinclair
Baldwin	Dudley	Hammond	Mills	Smith A E
Baumann	Duell	Hamn	Mooney	Smith C
Blue	Eagleton	Harper	Moreland	Smith Myron
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy G W	Stevenson
Brooks	Farrell	Hastings	Nevins	Stratton
Brough	Ferguson	Hoey	Newton	Surpluss
Brown	Feth	Holmes	Northrup	Todd
Buckley	Filley	Hooper	Norton	Volk
Burhyte	Foley C F	Hubbs	O'Brian	Voss
Burns	Foley J A	Hurd	Oliver	Waddell
Cavanaugh	Fowler	Huth	Parker	Wagner
Chamberlain	Francis	Jackson	Patton	Wainwright
Cole	Frisbie	Jacobs	Phillips	Waters
Collins	Ganly	Lansing	Prentice	Weber
Colné	Garbe	Lee	Ralston	Weimert
Conklin	Geoghagan	Lewis	Reece	Wells
Conrady	Glore	Loos	Robinson	West
Croak	Glynn	Lowe	Rogers	Whitley
Cunningham	Goldberg	Lupton	Schmidt	Whitney G H
Cuvillier	Gray	Maher	Schoeneck	Winters
De Groot	Green	Mallon	Schulz	Wood
Dominy	Gunderman	Mance	Schwegler	Yale
Donnelly	Hackett	Marlatt	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 837, Assembly reprint No. 2802) entitled "An act to amend

the Greater New York charter, in relation to inferior courts of criminal jurisdiction." (Rec. No. 225.)

On motion of Mr. Wells, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baldwin	Dudley	Hamn	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eagleton	Harris	Morgan	Stern
Boshart	Eggleston	Hart	Murphy G W	Stevenson
Brady	Eichhorn	Hastings	Nevins	Stratton
Brooks	Farrell	Hoey	Newton	Surpless
Brough	Ferguson	Holmes	Northrup	Todd
Brown	Feth	Hooper	Norton	Volk
Buckley	Filley	Hubbs	O'Brian	Voss
Burhyte	Foley C F	Hurd	Oliver	Waddell
Burns	Foley J A	Huth	Parker	Wagner
Cavanaugh	Fowler	Jackson	Patton	Wainwright
Chamberlain	Francis	Jacobs	Phillips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Ralston	Weimert
Colné	Garbe	Lewis	Reece	Wells
Conklin	Geoghagan	Loos	Robinson	West
Conrady	Glore	Lowe	Rogers	Whitley
Croak	Glynn	Lupton	Schmidt	Whitney G H
Cunningham	Goldberg	Maher	Schoeneck	Winters
Cuvillier	Gray	Mallon	Schulz	Wood
De Groot	Green	Mance	Schwegler	Yale
Dominy	Hackett	Marlatt	Sheridan	Young
Donnelly	Haines	Meritt	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the Senate bill (No. 1699) entitled "An act to amend chapter one hundred and forty-seven of the Laws of nineteen hundred and three, entitled 'An act making provision for issuing bonds to the amount of not

to exceed one hundred and one million dollars for the improvement of the Erie canal, the Oswego canal and the Champlain canal, and providing for a submission of the same to the people to be voted upon at the general election to be held in the year nineteen hundred and three,' relative to the advisory board of consulting engineers."

On motion of Mr. Moreland, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Merritt	Shuttleworth
Averill	Draper	Hamilton	Miller	Sinclair
Baldwin	Dudley	Hammond	Mills	Smith A E
Baumann	Duell	Hamn	Mooney	Smith C
Blue	Eagleton	Harper	Moreland	Smith Myron
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy G W	Stevenson
Brooks	Farrell	Hastings	Nevins	Stratton
Brough	Ferguson	Hoey	Newton	Surpless
Brown	Feth	Holmes	Northrup	Todd
Buckley	Filley	Hooper	Norton	Volk
Burhyte	Foley C F	Hubbs	O'Brian	Voss
Burns	Foley J A	Hurd	Oliver	Waddell
Cavanaugh	Fowler	Huth	Parker	Wagner
Chamberlain	Francis	Jackson	Patton	Wainwright
Cole	Frisbie	Jacobs	Phillips	Waters
Collins	Ganly	Lansing	Prentice	Weber
Colné	Garbe	Lee	Ralston	Weimert
Conklin	Geoghagan	Lewis	Reece	Wells
Conrad	Glore	Loos	Robinson	West
Croak	Glynn	Lowe	Rogers	Whitley
Cunningham	Goldberg	Lupton	Schmidt	Whitney G H
Cuvillier	Gray	Maher	Schoeneck	Winters
De Groot	Green	Mallon	Schulz	Wood
Dominy	Gunderman	Mance	Schwegler	Yale
Donnelly	Hackett	Marlatt	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1688) entitled "An act to legalize the acts of Edward Polak, a commissioner of deeds." (Rec. No. 433.)

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Merritt	Shuttleworth
Averill	Draper	Hamilton	Miller	Sinclair
Baldwin	Dudley	Hammond	Mills	Smith A E
Baumann	Duell	Hamn	Mooney	Smith C
Blue	Eagleton	Harper	Moreland	Smith Myron
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy G W	Stevenson
Brooks	Farrell	Hastings	Nevins	Stratton
Brough	Ferguson	Hoey	Newton	Surpless
Brown	Feth	Holmes	Northrup	Todd
Buckley	Filley	Hooper	Norton	Volk
Burhyte	Foley C F	Hubbs	O'Brian	Voss
Burns	Foley J A	Hurd	Oliver	Waddell
Cavanaugh	Fowler	Huth	Parker	Wagner
Chamberlain	Francis	Jackson	Patton	Wainwright
Cole	Frisbie	Jacobs	Phillips	Waters
Collins	Ganly	Lansing	Prentice	Weber
Colné	Garbe	Lee	Ralston	Weimert
Conklin	Geoghagan	Lewis	Reece	Wells
Conrady	Glore	Loos	Robinson	West
Croak	Glynn	Lowe	Rogers	Whitley
Cunningham	Goldberg	Lupton	Schmidt	Whitney G H
Cuvillier	Gray	Maher	Schoeneck	Winters
De Groot	Green	Mallon	Schulz	Wood
Dominy	Gunderman	Mance	Schwegler	Yale
Donnelly	Hackett	Marlatt	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1648) entitled "An act to amend chapter five hundred and seven of the Laws of nineteen hundred three, entitled 'An act to

abolish certain grade crossings of highways and railroads in the borough of Brooklyn in the city of New York and county of Kings, and providing for necessary changes in the grades of highways, streets and avenues, and of portions of the railroad and right of way of the New York, Brooklyn and Manhattan Beach Railway Company, leased to the Long Island Railroad Company, and of the Brooklyn Union Elevated Railroad Company, leased to the Brooklyn Heights Railroad Company, so as to abolish present and avoid future crossings at grade and providing means for the payment for such alterations, or changes.' " (Rec. No. 406.)

On motion of Mr. Burns, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Merritt	Shuttleworth
Averill	Draper	Hamilton	Miller	Sinclair
Baldwin	Dudley	Hammond	Mills	Smith A E
Baumann	Duell	Hamn	Mooney	Smith C
Blue	Eagleton	Harper	Moreland	Smith Myron
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy G W	Stevenson
Brooks	Farrell	Hastings	Nevins	Stratton
Brough	Ferguson	Hoey	Newton	Surpluss
Brown	Feth	Holmes	Northrup	Todd
Buckley	Filley	Hooper	Norton	Volk
Burhyte	Foley C F	Hubbs	O'Brian	Voss
Burns	Foley J A	Hurd	Oliver	Waddell
Cavanaugh	Fowler	Huth	Parker	Wagner
Chamberlain	Francis	Jackson	Patton	Wainwright
Cole	Frisbie	Jacobs	Phillips	Waters
Collins	Ganly	Lansing	Prentice	Weber
Colné	Garbe	Lee	Ralston	Weimert
Conklin	Geoghagan	Lewis	Reece	Wells
Conrady	Glore	Loos	Robinson	West
Croak	Glynn	Lowe	Rogers	Whitley
Cunningham	Goldberg	Lupton	Schmidt	Whitney G H
Cuvillier	Gray	Maher	Schoeneck	Winters
De Groot	Green	Mallon	Schulz	Wood
Dominy	Gunderman	Mance	Schwegler	Yale
Donnelly	Hackett	Marlatt	Sheridan	Young

Ordered, That the Clerk return said bill to the Séñate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 233) entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relative to the issuance of subpoenas and the attendance of witnesses." (Rec. No. 375.)

On motion of Mr. Robinson, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Merritt	Shuttleworth
Averill	Draper	Hamilton	Miller	Sinclair
Baldwin	Dudley	Hammond	Mills	Smith A E
Baumann	Duell	Hamn	Mooney	Smith C
Blue	Eagleton	Harper	Moreland	Smith Myron
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy G W	Stevenson
Brooks	Farrell	Hastings	Nevins	Stratton
Brough	Ferguson	Hoey	Newton	Surpluss
Brown	Feth	Holmes	Northrup	Todd
Buckley	Filley	Hooper	Norton	Volk
Burhyte	Foley C F	Hubbs	O'Brian	Voss
Burns	Foley J A	Hurd	Oliver	Waddell
Cavanaugh	Fowler	Huth	Parker	Wagner
Chamberlain	Francis	Jackson	Patton	Wainwright
Cole	Frisbie	Jacobs	Phillips	Waters
Collins	Ganly	Lansing	Prentice	Weber
Colné	Garbe	Lee	Ralston	Weimert
Conklin	Geoghagan	Lewis	Reece	Wells
Conrady	Glore	Loos	Robinson	West
Croak	Glynn	Lowe	Rogers	Whitley
Cunningham	Goldberg	Lupton	Schmidt	Whitney G H
Cuvillier	Gray	Maher	Schoeneck	Winters
De Groot	Green	Mallon	Schulz	Wood
Dominy	Gunderman	Mance	Schwegler	Yale
Donnelly	Hackett	Marlatt	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1299) entitled "An act to provide for the appointment of policemen for the Niagara, Lockport and Ontario Power Company." (Rec. No. 379.)

On motion of Mr. Draper, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Merritt	Shuttleworth
Averill	Draper	Hamilton	Miller	Sinclair
Baldwin	Dudley	Hammond	Mills	Smith A E
Baumann	Duell	Hamn	Mooney	Smith C
Blue	Eagleton	Harper	Moreland	Smith Myron
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy G W	Stevensor
Brooks	Farrell	Hastings	Nevins	Stratton
Brough	Ferguson	Hoey	Newton	Surpless
Brown	Feth	Holmes	Northrup	Todd
Buckley	Filley	Hooper	Norton	Volk
Burhyte	Foley C F	Hubbs	O'Brian	Voss
Burns	Foley J A	Hurd	Oliver	Waddell
Cavanaugh	Fowler	Huth	Parker	Wagner
Chamberlain	Francis	Jackson	Patton	Wainwright
Cole	Frisbie	Jacobs	Phillips	Waters
Collins	Ganly	Lansing	Prentice	Weber
Colné	Garbe	Lee	Ralston	Weimert
Conklin	Geoghagan	Lewis	Reece	Wells
Conrady	Glore	Loos	Robinson	West
Croak	Glynn	Lowe	Rogers	Whitley
Cunningham	Goldberg	Lupton	Schmidt	Whitney G H
Cuvillier	Gray	Maher	Schoeneck	Winters
De Groot	Green	Mallon	Schulz	Wood
Dominy	Gunderman	Mance	Schwegler	Yale
Donnelly	Hackett	Marlatt	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1635) entitled "An act to legalize, ratify and confirm the proceedings of the electors and board of education of union free school district number one, of the town of Schroon, in the county of Essex, relative to the levy of taxes, and the issuance and sale of bonds." (Rec. No. 445.)

On motion of Mr. Dominy, said bill was read the second time and ordered to a third reading.

Said bill was then read for the third time, having been printed and upon the desks of the members in its final form at least three calendar days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Merritt	Shuttleworth
Averill	Draper	Hamilton	Miller	Sinclair
Baldwin	Dudley	Hammond	Mills	Smith A E
Baumann	Duell	Hamn	Mooney	Smith C
Blue	Eagleton	Harper	Moreland	Smith Myron
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy G W	Stevenson
Brooks	Farrell	Hastings	Nevins	Stratton
Brough	Ferguson	Hoey	Newton	Surpluss
Brown	Feth	Holmes	Northrup	Todd
Buckley	Filley	Hooper	Norton	Volk
Burhyte	Foley C F	Hubbs	O'Brian	Voss
Burns	Foley J A	Hurd	Oliver	Waddell
Cavanaugh	Fowler	Huth	Parker	Wagner
Chamberlain	Francis	Jackson	Patton	Wainwright
Cole	Frisbie	Jacobs	Phillips	Waters
Collins	Ganly	Lansing	Prentice	Weber
Colné	Garbe	Lee	Ralston	Weimert
Conklin	Geoghagan	Lewis	Reece	Wells
Conrady	Glore	Loos	Robinson	West
Croak	Glynn	Lowe	Rogers	Whitley
Cunningham	Goldberg	Lupton	Schmitt	Whitney G H
Cuvillier	Gray	Maher	Schoeneck	Winters
De Groot	Green	Mallon	Schulz	Wood
Dominy	Gunderman	Mance	Schwegler	Yale
Donnelly	Hackett	Marlatt	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1575) entitled "An act to transfer to the city of New York certain property in the borough of Brooklyn, of said city, now used for military purposes." (Rec. No. 448.)

On motion of Mr. Farrell, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hamilton	Merritt	Shuttleworth
Averill	Dudley	Hammond	Miller	Sinclair
Baldwin	Duell	Hamn	Mills	Smith A E
Baumann	Eagleton	Harper	Mooney	Smith C
Blue	Eggleston	Harris	Moreland	Smith Myron
Boshart	Eichhorn	Hart	Morgan	Stern
Brady	Farrell	Hastings	Murphy G W	Stevenson
Brooks	Ferguson	Hoey	Nevins	Stratton
Brough	Feth	Holmes	Newton	Surpless
Brown	Filley	Hooper	Northrup	Todd
Buckley	Foley C F	Hubbs	Norton	Volk
Burhyte	Foley J A	Hurd	O'Brian	Voss
Burns	Fowler	Huth	Oliver	Waddell
Cavanaugh	Francis	Jackson	Parker	Wagner
Chamberlain	Frisbie	Jacobs	Patton	Wainwright
Cole	Ganly	Lansing	Phillips	Waters
Collins	Garbe	Lee	Prentice	Weber
Colné	Geoghagan	Lewis	Ralston	Weimert
Conklin	Glore	Loos	Reece	Wells
Conrad	Glynn	Lowe	Robinson	West
Croak	Goldberg	Lupton	Rogers	Whitley
Cunningham	Gray	Maher	Schmidt	Whitney G H
Cuvillier	Green	Mallon	Schoeneck	Winters
De Groot	Gunderman	Mance	Schulz	Wood
Dominy	Hackett	Marlatt	Schwegler	Yale
Donnelly	Haines	Mead	Sheridan	Young
Dowling				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill

(No. 957) entitled "An act authorizing the municipal civil service commissioners of the city of New York to place on the eligible list of January twelfth, nineteen hundred and seven, applicants for the police department of the city of New York, who have become thirty years of age after the examination held on September twelfth, nineteen hundred and six." (Rec. No. 255.)

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Merritt	Shuttleworth
Averill	Draper	Hamilton	Miller	Sinclair
Baldwin	Du dley	Hammond	Mills	Smith A E
Baumann	Duell	Hamn	Mooney	Smith C
Blue	Eagleton	Harper	Moreland	Smith Myron
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy G W	Stevenson
Brooks	Farrell	Hastings	Nevins	Stratton
Brough	Ferguson	Hoey	Newton	Surples
Brown	Feth	Holmes	Northrup	Todd
Buckley	Filley	Hooper	Norton	Volk
Burhyte	Foley C F	Hubbs	O'Brian	Voss
Burns	Foley J A	Hurd	Oliver	Waddell
Cavanaugh	Fowler	Huth	Parker	Wagner
Chamberlain	Francis	Jackson	Patton	Wainwright
Cole	Frisbie	Jacobs	Phillips	Waters
Collins	Ganly	Lansing	Prentice	Weber
Colné	Garbe	Lee	Ralston	Weimert
Conklin	Geoghagan	Lewis	Reece	Wells
Conrady	Glore	Loos	Robinson	West
Croak	Glynn	Lowe	Rogers	Whitley
Cunningham	Goldberg	Lupton	Schmidt	Whitney G H
Cuvillier	Gray	Maher	Schoeneck	Winters
De Groot	Green	Mallon	Schulz	Wood
Dominy	Gunderman	Mance	Schwegler	Yale
Donnelly	Hackett	Marlatt	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 601) entitled "An act to amend section twenty-three of chapter four hundred and sixty-six of the Laws of nineteen hundred and one, known as the charter of the city of New York, empowering the mayor of said city to designate the president of the board of aldermen to represent the mayor on the public boards of said city." (Rec. No. 107.)

On motion of Mr. Cuvillier, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hammond	Miller	Sinclair
Averill	Dudley	Hamn	Mills	Smith A E
Baldwin	Duell	Harper	Mooney	Smith C
Baumann	Eagleton	Harris	Moreland	Smith Myron
Blue	Eggleston	Hart	Morgan	Stern
Boshart	Eichhorn	Hastings	Murphy G W	Stevenson
Brady	Farrell	Hoey	Nevins	Stratton
Brooks	Ferguson	Holmes	Newton	Surpless
Brough	Feth	Hooper	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Foley J A	Hurd	O'Brian	Voss
Burhyte	Fowler	Huth	Oliver	Waddell
Burns	Francis	Jackson	Parker	Wagner
Cavanaugh	Frisbie	Jacobs	Patton	Wainwright
Chamberlain	Ganly	Lansing	Phillips	Waters
Cole	Garbe	Lee	Prentice	Weber
Collins	Geoghagan	Lewis	Ralston	Weimert
Colné	Glore	Loos	Reece	Wells
Conklin	Glynn	Lowe	Robinson	West
Conrady	Goldberg	Lupton	Rogers	Whitley
Croak	Gray	Maher	Schmidt	Whitney F G
Cunningham	Green	Mallon	Schoeneck	Whitney G H
Cuvillier	Gunderman	Mance	Schulz	Winters
De Groot	Hackett	Marlatt	Schwegler	Wood
Dominy	Haines	Mead	Sheridan	Yale
Donnelly	Hamilton	Merritt	Shuttleworth	Young
Dowling				

Ordered, That the Clerk return said bill to the Senate, with a

message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1610) entitled "An act to amend chapter four hundred and ten of the Laws of eighteen hundred and eighty-two, as amended by chapter six hundred and ninety-six of the Laws of eighteen hundred and ninety-five, entitled 'An act to consolidate into one act, and to declare the special and local laws affecting public interests in the city of New York,' relative to assistant district attorneys in the county of New York." (Rec. No. 423.)

On motion of Mr. Robinson, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Merritt	Shuttleworth
Averill	Draper	Hamilton	Miller	Sinclair
Baldwin	Dudley	Hammond	Mills	Smith A E
Baumann	Duell	Hamn	Mooney	Smith C
Blue	Eagleton	Harper	Moreland	Smith Myron
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy G W	Stevenson
Brooks	Farrell	Hastings	Nevins	Stratton
Brough	Ferguson	Hoey	Newton	Surpless
Brown	Feth	Holmes	Northrup	Todd
Buckley	Filley	Hooper	Norton	Volk
Burhyte	Foley C F	Hubbs	O'Brian	Voss
Burns	Foley J A	Hurd	Oliver	Waddell
Cavanaugh	Fowler	Huth	Parker	Wagner
Chamberlain	Francis	Jackson	Patton	Wainwright
Cole	Frisbie	Jacobs	Phillips	Waters
Collins	Ganly	Lansing	Prentice	Weber
Colné	Garbe	Lee	Ralston	Weimert
Conklin	Geoghagan	Lewis	Reece	Wells
Conrady	Glore	Loos	Robinson	West
Croak	Glynn	Lowe	Rogers	Whitley
Cunningham	Goldberg	Lupton	Schmidt	Whitney G H
Cuvillier	Gray	Maher	Schoeneck	Winters
De Groot	Green	Mallon	Schulz	Wood
Dominy	Gunderman	Mance	Schwegler	Yale
Donnelly	Hackett	Marlatt	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1205) entitled "An act to amend the Greater New York charter, in relation to the apportionment of assessments." (Rec. No. 424.)

On motion of Mr. Francis, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Marlatt	Shuttleworth
Averill	Draper	Hamilton	Merritt	Sinclair
Baldwin	Dudley	Hammond	Miller	Smith A E
Baumann	Duell	Hamn	Mills	Smith C
Blue	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Moreland	Stern
Brady	Eichhorn	Holmes	Morgan	Stevenson
Brooks	Farrell	Hart	Murphy G W	Stratton
Brough	Ferguson	Hastings	Nevins	Surpless
Brown	Feth	Hoey	Newton	Todd
Buckley	Filley	Holmes	Northrup	Volk
Burhyte	Foley C F	Hooper	Norton	Voss
Burns	Foley J A	Hubbs	O'Brian	Waddell
Cavanaugh	Fowler	Hurd	Oliver	Wagner
Chamberlain	Francis	Huth	Parker	Wainwright
Cole	Frisbie	Jackson	Patton	Waters
Collins	Ganly	Jacobs	Phillips	Weber
Colné	Garbe	Lansing	Prentice	Weimert
Conklin	Geoghagan	Lee	Ralston	Wells
Conrady	Glore	Lewis	Robinson	West
Croak	Glynn	Loos	Rogers	Whitley
Cunningham	Goldberg	Lowe	Schmidt	Whitney G H
Cuvillier	Gray	Lupton	Schoeneck	Winters
De Groot	Green	Maher	Schulz	Wood
Dominy	Gunderman	Mallon	Schwegler	Yale
Donnelly	Hackett	Mance	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, May 27, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 2144, Int. No. 1253) entitled "An act to amend chapter five hundred and ninety-three of the laws of nineteen hundred and five, entitled 'An act to revise the charter of the city of Johnstown,' generally."

CHARLES E. HUGHES.

Said bill having been announced, Mr. Mills moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Matthews	Sheridan
Averill	Draper	Hamilton	Merritt	Shuttleworth
Baldwin	Dudley	Hammond	Miller	Sinclair
Baumann	Duell	Hamn	Mills	Smith A E
Blue	Eagleton	Harper	Mooney	Smith C
Boshart	Eggleston	Harris	Moreland	Stern
Brady	Eichhorn	Hart	Morgan	Stevenson
Brooks	Farrell	Hastings	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Voss
Burhyte	Foley C F	Hubbs	Norton	Waddell
Burns	Foley J A	Hurd	O'Brian	Wagner
Cavanaugh	Fowler	Huth	Oliver	Wainwright
Chamberlain	Francis	Jackson	Parker	Waters
Cole	Frisbie	Jacobs	Patton	Weber
Collins	Ganly	Lansing	Phillips	Weimert
Colné	Garbe	Lee	Prentice	Wells
Conklin	Geoghagan	Lewis	Ralston	West
Conrady	Glore	Loos	Reece	Whitley
Croak	Glynn	Lowe	Robinson	Whitney F G
Cunningham	Goldberg	Lupton	Rogers	Whitney G H
Cuvillier	Gray	Maher	Schmidt	Winters
De Groot	Green	Mallon	Schoeneck	Wood
Dominy	Gunderman	Mance	Schulz	Yale
Donnelly	Hackett	Marlatt	Schwegler	Young

Mr. Mills moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 1, strike out lines 1 to 9, both inclusive, and all of page 2, down to and including the word " follows " in line 11 on page 3, and insert in place thereof the following:

" § 1. Section sixty-nine of chapter five hundred and ninety-three of the laws of nineteen hundred and five, entitled 'An act to revise the charter of the city of Johnstown,' is hereby amended to read as follows:".

Page 4, line 1, strike out " 5 " and insert " 2".

Page 9, line 1, strike out " 4 " and insert " 3 ".

Page 15, line 22, strike out " 5 " and insert " 4 ".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Dowling, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, May 28, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1637, Senate reprint No. 1259, Int. No. 1082) entitled "An act to amend the primary election law, in relation to excepting first, second and certain third class cities from special enrollment and changing date when enrollment books shall be delivered."

CHARLES E. HUGHES.

Said bill having been announced, Mr. Weimert moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hamilton	Miller	Sinclair
Averill	Dudley	Hammond	Mills	Smith A E
Baldwin	Duell	Hamn	Mooney	Smith C
Baumann	Eagleton	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Stern
Boshart	Eichhorn	Hart	Murphy G W	Stevenson
Brady	Farrell	Hastings	Nevins	Stratton
Brooks	Ferguson	Hoey	Newton	Surpless
Brough	Feth	Holmes	Northrup	Todd
Brown	Filley	Hooper	Norton	Volk
Buckley	Foley C F	Hubbs	O'Brian	Voss
Burhyte	Foley J A	Hurd	Oliver	Waddell
Burns	Fowler	Huth	Parker	Wagner
Cavanaugh	Francis	Jackson	Patton	Wainwright
Chamberlain	Frisbie	Jacobs	Phillips	Waters
Cole	Ganly	Lansing	Prentice	Weber
Collins	Garbe	Lee	Ralston	Weimert
Colné	Geoghagan	Lewis	Reece	Wells
Conklin	Glore	Loos	Robinson	West
Conrad	Glynn	Lowe	Rogers	Whitley
Croak	Goldberg	Lupton	Schmidt	Whitney F G
Cunningham	Gray	Maher	Schoeneck	Whitney G H
Cuvillier	Green	Mallon	Schulz	Winters
De Groot	Gunderman	Marlatt	Schwegler	Wood
Dominy	Hackett	Mead	Sheridan	Yale
Donnelly	Haines	Merritt	Shuttleworth	Young
Dowling				

Mr. Weinert moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 4, line 7, strike out period and insert “, or as provided in subdivision first and subdivision six of section two of this act.”

Line 22, after “the” add “first and” and strike out “or a city containing a population”.

Line 23, strike out “of one million or over”.

Page 5, line 3, after “the” add “first and”, strike out “or a city containing”.

Line 4, strike out “a population of one million or over”.

Line 12, add after “the” “first and”, strike out “or a city containing”.

Line 13, strike out “a population of one million or over”.

Line 15, strike out “made during the four days of registration of”.

Line 16, strike out “electors for the preceding general election”.

Line 19, after “the” add “first and”.

Strike out “or a city containing a population of one”.

Line 20, strike out “million or over”.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Dowling, from the committee on affairs and cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, May 24, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 2437, Int. No. 1629) entitled "An act to amend the town law, in relation to assessors' clerks in certain towns of the county of Nassau."

CHARLES E. HUGHES.

Said bill having been announced, Mr. Miller moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Matthews	Sheridan
Averill	Draper	Hamilton	Merritt	Shuttleworth
Baldwin	Dudley	Hammond	Miller	Sinclair
Baumann	Duell	Hamn	Mills	Smith A E
Blue	Eagleton	Harper	Mooney	Smith C
Boshart	Eggleston	Harris	Moreland	Stern
Brady	Eichhorn	Hart	Morgan	Stevenson
Brooks	Farrell	Hastings	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Voss
Burhyte	Foley C F	Hubbs	Norton	Waddell
Burns	Foley J A	Hurd	O'Brian	Wagner
Cavanaugh	Fowler	Huth	Oliver	Wainwright
Chamberlain	Francis	Jackson	Parker	Waters
Cole	Frisbie	Jacobs	Patton	Weber
Collins	Ganly	Lansing	Phillips	Weimert
Colné	Garbe	Lee	Prentice	Wells
Conklin	Geoghagan	Lewis	Ralston	West

Conrady	Glore	Loos	Reece	Whitley
Croak	Glynn	Lowe	Robinson	Whitney F G
Cunningham	Goldberg	Lupton	Rogers	Whitney G H
Cuvillier	Gray	Maher	Schmidt	Winters
De Groot	Green	Mallon	Schoeneck	Wood
Dominy	Gunderman	Mance	Schulz	Yale
Donnelly	Hackett	Marlatt	Schwegler	Young

Mr. Miller moved that said bill be recommitted to the committee on internal affairs, with instructions to report the same forthwith amended as follows:

Page 2, strike out lines 3, 4 and 5 and insert "salaries to be [determined] fixed by them, [but not exceeding one thousand dollars per year,] subject to the approval of the town clerk and supervisor, also additional clerk hire at a sum not to exceed [eight hundred dollars per year] annually a sum approved by the town clerk and supervisor,".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Apgar, from the committee on internal affairs, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate returned the Assembly bill (No. 1046, Senate re-print No. 1673, Int. No. 732) entitled "An act to amend the Code of Criminal Procedure, relative to the number of peremptory challenges in certain criminal cases," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 8, after "cases" insert "after indictment". Same page, between lines 8 and 9 insert as follows:

"4. In all other cases five."

Mr. Bohan moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Miller	Sinclair
Averill	Draper	Hamilton	Mills	Smith A E
Baldwin	Dudley	Hamm	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eagleton	Harris	Morgan	Stern
Boshart	Eggleston	Hart	Murphy G W	Stevenson
Brady	Eichhorn	Hastings	Nevins	Stratton
Brooks	Farrell	Hoey	Newton	Surpless
Brough	Ferguson	Holmes	Northrup	Todd
Brown	Feth	Hooper	Norton	Volk
Buckley	Filley	Hubbs	O'Brian	Voss
Burhyte	Foley C F	Hurd	Oliver	Waddell
Burns	Foley J A	Huth	Parker	Wagner
Cavanaugh	Fowler	Jackson	Patton	Wainwright
Chamberlain	Francis	Jacobs	Phillips	Water
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Ralston	Weimert
Colné	Garbe	Lewis	Reece	Wells
Conklin	Geoghagan	Loos	Robinson	West
Conrady	Glore	Lowe	Rogers	Whitley
Croak	Glynn	Lupton	Schmidt	Whitney F G
Cunningham	Goldberg	Maher	Schoeneck	Winters
Cuvillier	Gray	Mallon	Schulz	Wood
De Groot	Green	Mance	Schwegler	Yale
Dominy	Gunderman	Marlatt	Sheridan	Young
Donnelly	Hackett	Merritt	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1675, Senate reprint No. 1436, Int. No. 1343) entitled "An act to amend the Penal Code, in relation to restricting the powers of peace officers in respect to photographs of prisoners," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, strike out all of lines 5, 6, 7, 8 and 9, and insert in lieu thereof the following:

"§ 379-a. Upon the determination of a criminal action or proceeding against a person, in favor of such person, every photograph of such person and photographic plate or proof taken or made of such person while such action or proceeding is pending by direction or authority of any police officer, peace officer or any member of any police department, and all duplicates and copies thereof shall be returned on demand to such person by the police officer, peace officer or member of any police department having any such photograph, photographic plate or proof, copy or dupli-

cate in his possession or under his control; and such police officer, peace officer or member of any police department failing to comply with the requirements hereof, shall be guilty of a misdemeanor.

“§ 2. This act shall take effect September first, nineteen hundred and seven.”

On page two, strike out all printed matter.

Mr. Eagleton moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Matthews	Shuttleworth
Averill	Draper	Hamilton	Miller	Sinclair
Baldwin	Dudley	Hammond	Mills	Smith A E
Baumann	Duell	Hamn	Mooney	Smith C
Blue	Eagleton	Harper	Moreland	Smith Myron
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy G W	Stevenson
Brooks	Farrell	Hastings	Nevins	Stratton
Brough	Ferguson	Hoey	Newton	Surpluss
Brown	Feth	Holmes	Northrup	Todd
Buckley	Filley	Hooper	Norton	Volk
Burhyte	Foley C F	Hubbs	O'Brian	Voss
Burns	Foley J A	Hurd	Oliver	Waddell
Cavanaugh	Fowler	Huth	Parker	Wagner
Chamberlain	Francis	Jackson	Patton	Wainwright
Cole	Frisbie	Jacobs	Phillips	Waters
Collins	Ganly	Lansing	Prentice	Weber
Colné	Garbe	Lee	Ralston	Weimert
Conklin	Geoghagan	Lewis	Reece	Wells
Conrady	Glore	Loos	Robinson	West
Croak	Glynn	Lowe	Rogers	Whitley
Cunningham	Goldberg	Lupton	Schmidt	Whitney G H
Culliver	Gray	Maher	Schoeneck	Winters
De Groot	Green	Mallon	Schulz	Wood
Dominy	Gunderman	Mance	Schwegler	Yale
Donnelly	Hackett	Marlatt	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 62, Senate reprint No. 1591, Int. No. 62) entitled “An act to amend the Penal Code

relative to punishment for murder in the second degree," with a message that they have concurred in the passage of the same, with the following amendment:

On page 1, line 7, bracket the period after the word "life" and insert and italicize the following: "; and any person serving a term of imprisonment for life, whether under an original sentence or by commutation, when this section, as amended, takes effect, shall be deemed to be thereafter serving under such an indeterminate sentence."

Mr. Cunningham moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Merritt	Shuttleworth
Averill	Draper	Hamilton	Miller	Sinclair
Baldwin	Dudley	Hammond	Mills	Smith A E
Baumann	Duell	Hamn	Mooney	Smith C
Blue	Eagleton	Harper	Moreland	Smith Myron
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy G W	Stevenson
Brooks	Farrell	Hastings	Nevins	Stratton
Brough	Ferguson	Hoe	Newton	Surpless
Brown	Feth	Holmes	Northrup	Todd
Buckley	Filley	Hooper	Norton	Volk
Burhyte	Foley C F	Hubbs	O'Brian	Voss
Burns	Foley J A	Hurd	Oliver	Waddell
Cavanaugh	Fowler	Huth	Parker	Wagner
Chamberlain	Francis	Jackson	Patton	Wainwright
Cole	Frisbie	Jacobs	Phillips	Waters
Collins	Ganly	Lansing	Prentice	Weber
Colné	Garbe	Lee	Ralston	Weimert
Conklin	Geoghagan	Lewis	Reece	Wells
Conrady	Glore	Loos	Robinson	West
Croak	Glynn	Lowe	Rogers	Whitley
Cunningham	Goldberg	Lupton	Schmidt	Whitney G H
Cuvillier	Gray	Maher	Schoeneck	Winters
De Groot	Green	Mallon	Schulz	Wood
Dominy	Gunderman	Mance	Schwegler	Yale
Donnelly	Hackett	Marlatt	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the Assembly bill (No. 1317, Senate reprint No. 1621, Int. No. 1112) entitled "An act for the promotion of agriculture and making an appropriation therefor," with a message that they have concurred in the passage of the same, with the following amendment:

On page 2, line 10, after "cents" strike out the semicolon and insert a comma and also the following: "one half of which amount shall be available during the year nineteen hundred and seven and the balance during the year nineteen hundred and eight;"

Mr. Boshart moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Miller	Sinclair
Averill	Draper	Hamilton	Mills	Smith A E
Baldwin	Dudley	Hamn	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eagleton	Harris	Morgan	Stern
Boshart	Eggleston	Hart	Murphy G W	Stevenson
Brady	Eichhorn	Hastings	Nevins	Stratton
Brooks	Farrell	Hoey	Newton	Surpless
Brough	Ferguson	Holmes	Northrup	Todd
Brown	Feth	Hooper	Norton	Volk
Buckley	Filley	Hubbs	O'Brian	Voss
Burhyte	Foley C F	Hurd	Oliver	Waddell
Burns	Foley J A	Huth	Parker	Wagner
Cavanaugh	Fowler	Jackson	Patton	Wainwright
Chamberlain	Francis	Jacobs	Phillips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Ralston	Weimert
Colné	Garbe	Lewis	Reece	Wells
Conklin	Geoghagan	Loos	Robinson	West
Conrady	Glore	Lowe	Rogers	Whitley
Croak	Glynn	Lupton	Schmidt	Whitney G H
Cunningham	Goldberg	Maher	Schoeneck	Winters
Cuvillier	Gray	Mallon	Schulz	Wood
De Groot	Green	Mance	Schwegler	Yale
Dominy	Gunderman	Marlatt	Sheridan	Young
Donnelly	Hackett	Merritt	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the Assembly bill (No. 956, Senate reprint No. 1439, Int. No. 198) entitled "An act to amend the Membership Corporations Law, in relation to the election of managers and trustees," with a message that they have concurred in the passage of the same, with the following amendment:

On page 2, line 18, after "life" insert "or fire".

Ordered, That said bill and message be referred to the committee on rules.

Mr. Merritt offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That there be printed for the use of the Legislature seven thousand five hundred additional copies of Assembly bill (No. 2719, Senate reprint No. 1738, Int. No. 1083) introduced by Mr. Merritt, entitled "An act to establish the public service commissions and prescribing their powers and duties, and to provide for the regulation and control of certain public service corporations and making an appropriation therefor."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hamilton	Mills	Sinclair
Averill	Dudley	Hamn	Mooney	Smith A E
Baumann	Duell	Harper	Moreland	Smith C
Blue	Eagleton	Harris	Morgan	Smith Myron
Boshart	Eggleston	Hart	Murphy G W	Stern
Brady	Eichhorn	Hastings	Nevins	Stevenson
Brooks	Farrell	Hoey	Newton	Stratton
Brough	Ferguson	Holmes	Northrup	Surpluss
Brown	Feth	Hooper	Norton	Todd
Buckley	Filley	Hubbs	O'Brian	Volk
Burhyte	Foley C F	Hurd	Oliver	Voss
Burns	Foley J A	Huth	Parker	Waddell
Cavanaugh	Fowler	Jackson	Patton	Wagner
Chamberlain	Francis	Jacobs	Phillips	Wainwright
Cole	Frisbie	Lansing	Prentice	Waters
Collins	Ganly	Lee	Robston	Weber

Colné	Garbe	Lewis	Reece	Weimert
Conklin	Geoghagan	Loos	Robinson	Wells
Conrady	Glore	Low	Rogers	West
Croak	Glynn	Lupton	Schmidt	Whitley
Cunningham	Goldberg	Maher	Schoeneck	Whitney G H
Cuvillier	Gray	Mallon	Schulz	Winters
De Groot	Green	Mance	Schwegler	Wood
Dominy	Gunderman	Marlatt	Sheridan	Yale
Donnelly	Hackett	Merritt	Shuttleworth	Young
Dowling	Haines	Miller		

Mr. G. H. Whitney offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 555, Senate reprint No. 1488, Int. No. 346), entitled "An act to amend the Public Health Law, in relation to the retailing of poisons," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Wood offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 2302, Senate reprint No. 1489, Int. No. 1517), entitled "An act to amend chapter seven hundred and sixty of the laws of eighteen hundred and ninety-seven, entitled 'An act to revise the charter of the city of Watertown,' in relation to the liability of the city," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Schulz offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 248, Int. No. 247), entitled "An act to provide for the pensioning of Mary Hedeman, mother of Patrolman William Hedeman, deceased," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the Assembly bill (No. 1754, Senate reprint No. 1692, Int. No. 218) entitled "An act to amend the Domestic Relations Law, in relation to marriages and fees for solemnizing marriages in certain cities."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 2373, Int. No. 1711) entitled "An act to amend chapter one hundred and seventeen of the Laws of eighteen hundred and eighty-three, entitled 'An act to amend, consolidate and revise the charter of the village of Peekskill, and the several acts amendatory thereof,' in relation to the power and authority of the board of trustees," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the Senate bill (No. 1376, Assembly reprint No. 2732, Rec. No. 327) entitled "An act to amend chapter one hundred and forty-six of the Laws of eighteen hundred and fifty-six, entitled 'An act authorizing the construction of a bridge across the Hudson river at Albany,' and chapter seven hundred and seventy-nine of the Laws of eighteen hundred and sixty-nine, entitled 'An act to amend the charter of the Hudson River Bridge Company,' in relation to tolls charged and collected for the use of such bridges," with a message that they have concurred in the amendments of the Assembly made thereto.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the bill (No. 2684, Int. No. 1860) entitled "An act to amend the Greater New York charter, relating to engineers," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 822, Senate reprint No. 2816, Int. No. 757) entitled "An act to amend the Greater New York charter, relating to the uniformed force of the fire department," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 1729, Int. No. 46) entitled "An act to provide for a judicial recount and recanvass of the votes cast for the office of mayor at the election of the seventh of November, nineteen hundred and five, in all cities of the first class in which the ballots have been preserved," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the Senate bill (No. 1497, Assembly reprint No. 2791, Rec. No. 338) entitled "An act to revise the charter of the city of North Tonawanda," with a message that they have concurred in the amendments of the Assembly made thereto.

Ordered, That the Clerk return said bill to the Senate.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, April 19, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 248, Int. No. 247) entitled "An act to provide for the pensioning of Mary Hedeman, mother of Patrolman William Hedeman, deceased."

CHARLES E. HUGHES.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 550, Senate reprint No. 1488, Int. No. 346), entitled "An act to amend the Public Health Law, in relation to the retailing of poisons," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 2302, Senate reprint No. 1489, Int. No. 1517) entitled "An act to amend chapter seven hundred and sixty of the Laws of

eighteen hundred and ninety-seven, entitled 'An act to revise the charter of the city of Watertown,' in relation to the liability of the city," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 248, Int. No. 247) entitled "An act to provide for the pensioning of Mary Hedeman, mother of William Hedeman, deceased," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Charles D. Robinson, mayor of the city of Newburgh, returning Assembly bill (No. 2309, Int. No. 1521), entitled "An act to amend chapter forty-four of the Laws of eighteen hundred and fifty-three, entitled 'An act for the better support of the poor, in the town of Newburgh, in the county of Orange,' in relation to said town receiving credit for excise moneys," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 2010, Senate reprint No. 1538, Int. No. 1535), entitled "An act amending and empowering the board of estimate and apportionment of the city of New York, in its discretion, to take action relative to the necessary expenses incurred in relation to acquiring title to property at the foot of Nicholas avenue, borough of Richmond, city of New York," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. John M. Foster, mayor of the city of Fulton, returning Assembly bill (No. 2631, Int. No. 1840), entitled "An act to amend chapter sixty-three of the Laws of nineteen hundred and two, entitled 'An act to incorporate the city of Fulton,' in relation to the compensation of members of the fire and police departments," with a message

that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. John M. Foster, mayor of the city of Fulton, returning Assembly bill (No. 2652, Int. No. 836), entitled "An act to amend chapter sixty-three of the Laws of nineteen hundred and two, entitled 'An act to incorporate the city of Fulton,' relating to limitation of actions against the city," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 1964, Int. No. 1508), entitled "An act to amend the Greater New York charter, by providing for an appropriation for the Legal Aid Society of the city of New York," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 2119, Int. No. 760), entitled "An act to amend the Greater New York charter, relative to the distribution of moneys collected on account of taxation of fire insurance companies in the city of New York," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 685, Senate reprint No. 1531, Int. No. 642), entitled "An act to authorize and empower the commissioner of the sinking fund of the city of New York, to vacate and cancel a certain assessment for public improvements, upon the real property of Saint Paul's German Evangelical Reformed Church," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 824, Int. No. 759), entitled "An act to amend the Greater New York charter, relative to the distribution of moneys collected on account of taxation and constituting the relief fund in the city of New York,"* with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Apgar of Westchester was excused until Monday evening next.

On motion of Mr. Moreland, the House adjourned.

WEDNESDAY, MAY 29, 1907.

The House met pursuant to adjournment.

Prayer by Rev. Charles W. Heisler.

On motion of Mr. Moreland, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. Brooks gives notice that he requests that Assembly bill (No. 2824, Int. No. 1931) entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of refunding one hundred thousand dollars of water fund bonds due and paid October first, nineteen hundred and three, also for refunding one hundred thousand dollars of water fund bonds due and paid in error in the year eighteen hundred and eighty-one," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Brooks gives notice that he requests that Assembly bill (No. 2823, Int. No. 1930) entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of raising money to construct, maintain, extend, operate, repair and regulate water works," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Ralston gives notice that he requests that Assembly bill (No. 2826, Int. No. 1933) entitled "An act to legalize the acts of Edward B. Thompson performed as commissioner of deeds," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Brooks gives notice that he requests that Assembly bill (No. 2825, Int. No. 1932) entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of refunding a certain certificate of indebtedness payable July first, nineteen hundred and eight," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Hooper gives notice that he requests that Senate bill (No. 33, Rec. No. 259) entitled "An act to amend the Penal Code, relative to violations of provisions of the Labor Law," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Francis gives notice that he requests that the Senate bill (No. 1368, Assembly reprint No. 2833, Rec. No. 349) entitled "An act to amend chapter three hundred and thirty-four of the Laws of nineteen hundred and one, entitled 'An act in relation to tenement houses in cities of the first class,' as heretofore amended, in relation to measuring the height of tenement houses fronting on a part of Riverside drive, in the city of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Moreland gives notice that he requests that the Senate bill (No. 1665, Rec. No. 413) entitled "An act to amend chapter three hundred and forty-eight of the Laws of eighteen hundred and eighty-five, entitled 'An act to authorize the appointment of stenographers,' relative to the appointment of stenographers to take evidence before grand juries and at coroners' inquests and examinations and trials of criminal cases," a copy of which is

hereto annexed, be made a special order and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Wainwright gives notice that he requests that the Senate bill (No. 257, Rec. No. 92) entitled "An act to release to Giuseppe Barese all the right, title and interest of the people of the State of New York in and to certain real estate, situate in the village of Ossining, county of Westchester and State of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Dominy gives notice that he requests that the Senate bill (No. 1532, Rec. No. 420) entitled "An act to amend section six hundred and eighty-seven-a of the Penal Code relative to sentencing prisoners," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Dominy gives notice that he requests that the Senate bill (No. 744, Rec. No. 366) entitled "An act to amend the Penal Code relating to the sentencing of certain convicts to State prisons," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Burns gives notice that he requests that Senate bill (No. 1480, Rec. No. 383) entitled "An act to permit the city of New York to sell or lease to the Cooper Union for the advancement of science and art the block of ground in said city, bounded by Third avenue, East Sixth street, East Seventh street and Hall place, with the building thereon," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Francis gives notice that he requests that the Senate bill (No. 1696, Rec. No. 450) entitled "An act to amend chapter seven hundred and forty of the Laws of eighteen hundred and ninety-

six, as amended by chapter six hundred and seventy-six of the Laws of nineteen hundred and one, entitled 'An act to amend the charter of the Hebrew Benevolent and Orphan Asylum Society of the city of New York,' and to authorize its appointment as general guardian of the person and property of infants under its care and control," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Baldwin gives notice that he requests that the Senate bill (No. 1653, Rec. No. 457) entitled "An act to legalize bonds of the village of East Syracuse, to be issued for the purpose of enabling the village of East Syracuse to borrow the sum of ten thousand dollars for the purpose of completing the sewer system of the village of East Syracuse, and the purchase of necessary machinery for the operation and maintenance of the sewer system of the village, and to sell twenty bonds of the village of the denomination of five hundred dollars each, aggregating the sum of ten thousand dollars, as provided by the Village Law and the Municipal Corporation Law, and to legalize all steps, proceedings and resolutions of the board of trustees of the village of East Syracuse in relation to the sale and issue of said bonds, including the proposition submitted to the qualified electors of the village at a general election thereof, held therein on the nineteenth day of March, nineteen hundred and seven, and all proceedings of said board of trustees in relation and subsequent thereto, including the advertisement and sale of the bonds authorized by said proposition, on the twentieth day of April, nineteen hundred and seven, and to provide for the payment of the principal and interest of said bonds," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Hamn gives notice that he requests that the Senate bill (No. 1333, Rec. No. 321) entitled "An act to provide further buildings and other facilities at the New York Agricultural Experiment Station, and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that

his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Hart gives notice that he requests that Assembly bill (No. 2251, Int. No. 290) entitled "An act to amend the Domestic Commerce Law, in relation to fire escapes in hotels and rooming-houses," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Robinson gives notice that he requests that Assembly bill (No. 1929, Int. No. 723) entitled "An act to amend the Greater New York charter, relative to aldermanic districts, the division of the city into the same and the boundaries thereof, and to districts for home rule and local improvements," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

The Senate sent for concurrence the following entitled bill:

"An act amending section six of chapter three hundred and six of the Laws of eighteen hundred and ninety-three, entitled 'An act to establish a State prison for women,' relative to salaries of guards and assistant matrons" (No. 1174, Rec. No. 464), which was read the first time and referred to the committee on ways and means.

By unanimous consent, Mr. Cuvillier introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to adjournments, where an attorney is a member of the Legislature" (Int. No. 1953), which was read the first time and referred to the committee on codes.

By unanimous consent, and by request, Mr. Wells introduced a bill entitled "An act to amend the Military Code, in relation to the organization of the naval militia" (Int. No. 1954), which was read the first time and referred to the committee on military affairs.

Also, by unanimous consent, by request "An act to amend the Military Code, in relation to drills, parades and athletic exercises" (Int. No. 1955), which was read the first time and referred to the committee on military affairs.

Also, by unanimous consent, by request "An act to amend the Military Code, in relation to armories and employees therein" (Int. No. 1956), which was read the first time and referred to the committee on military affairs.

By unanimous consent, Mr. Duell introduced a bill entitled "An act to amend the charter of the city of New Rochelle, in relation to the salary of the clerk of the board of education" (Int. No. 1957), which was read the first time and referred to the committee on affairs of cities.

Also, by unanimous consent, "An act creating a board of public works in the city of New Rochelle, prescribing its powers and duties, conferring upon such board the duties of the commissioners of sewers, abolishing the office of city engineer and increasing the duties of superintendent of streets" (Int. No. 1958), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Blue introduced a bill entitled "An act to amend an act, entitled 'An act to provide for the acquiring of a site and the erection and furnishing of a new court house in the city of Utica for the use of the county of Oneida, and to provide means to defray the expense thereof, and to sell the present court house and site and the county clerk's office and site, situate in Utica'" (Int. No. 1959), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Miller introduced a bill entitled "An act to amend the Tax Law, in relation to sales for nonpayment of taxes" (Int. No. 1960), which was read the first time and referred to the committee on general laws.

By unanimous consent, Mr. Prentice introduced a bill entitled "An act to provide for the appointment of a commission to investigate the Torrens system of registering land titles, and to report on the expediency of the adoption of such system by the State of New York" (Int. No. 1961), which was read the first time and referred to the committee on the judiciary.

By unanimous consent, Mr. Eichhorn introduced a bill entitled "An act to widen and improve a certain street in the city of New York, partly in the counties of Kings and Queens" (Int. No. 1962), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Merritt introduced a bill entitled "An act to legalize the official acts of William McCormick, as justice of the peace of the town of Potsdam, county of St. Lawrence" (Int. No. 1963), which was read the first time and referred to the committee on the judiciary.

Mr. Speaker, from the committee on rules, to which was referred the resolution relative to a special committee to investigate methods and conditions of improved highways, reported in favor of the adoption of the following resolution:

Resolved (if the Assembly concur), That there shall be appointed by the Temporary President of the Senate four members of the Senate, and by the Speaker of the Assembly five members of the Assembly, as a special committee, whose duty it shall be to inquire into the subject of the methods of construction of improved highways and the maintenance and repairs of all highways in the State, together with the general subject of a proper development of the whole system of highway improvement in the State; and whose duty it shall also be to revise and amend the highway laws and to report to the next Legislature, on or before February fifteenth, nineteen hundred and eight, the result of said investigation, a revised highway law, together with any bill or bills necessary to carry into effect the recommendations of the joint committee; and said committee shall have the power to prosecute its inquiries in every direction necessary to arrive at a full and correct knowledge of the subject; to send for books, papers and persons; to subpoena and examine witnesses, to employ counsel and a stenographer and to incur necessary traveling and other expenses; and the power is granted to said committee to sit after the adjournment of the Legislature, and outside of the city of Albany; and the sum of seven thousand five hundred dollars, or so much thereof as may be necessary, is hereby appropriated for the expenses of said joint committee out of any appropriation made for the contingent expenses of the Legislature.

Mr. Speaker put the question whether the House would agree to the final passage of said resolution and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Dowling	Haines	Mead	Sinclair
Baldwin	Draper	Hamilton	Merritt	Smith A E
Baumann	Dudley	Harawitz	Miller	Smith C
Blue	Duell	Harper	Mills	Smith Myron
Bohan	Eagleton	Harris	Mooney	Staley
Boshart	Eggleston	Hart	Moreland	Stern
Brady	Eichhorn	Hastings	Murphy C F	Stevenson
Brooks	Farrell	Hoey	Murphy G W	Stratton
Brough	Ferguson	Holmes	Nevins	Surplless
Brown	Feth	Hooper	Newton	Todd
Buckley	Filley	Hubbs	Northrup	Volk
Burhyte	Flanagan	Hurd	Norton	Wagner
Burns	Foley C F	Huth	O'Brian	Wainwright
Burzynski	Foley J A	Jackson	Oliver	Walters
Cavanaugh	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Ganly	Lansing	Phillips	Weimert
Collins	Garbe	Lee	Prentice	Wells
Colné	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Gray	Mance	Schulz	Wood
De Groot	Green	Marlatt	Sheridan	Young
Dobbs	Gunderman	Matthews		

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker, from the committee on rules, to which was referred the resolution, relative to printing additional copies of report of "New York School for Blind," reported in favor of the adoption of the following resolution:

Resolved (if the Senate concur), That five hundred extra copies of the reports of the Western New York School for the Blind at Batavia be printed for public distribution.

Mr. Speaker put the question whether the House would agree to the final passage of said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Shuttleworth
Apgar	Dowling	Haines	McCue	Sinclair
Baldwin	Draper	Hamilton	Mead	Smith A E
Baumann	Dudley	Hammond	Merritt	Smith C
Blue	Duell	Harawitz	Miller	Smith Myron
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Surpless
Brown	Feth	Holmes	Nevins	Todd
Buckley	Filley	Hooper	Newton	Volk
Burhyte	Flanagan	Hubbs	Northrup	Wagner
Burns	Foley C F	Hurd	Norton	Wainwright
Burzynski	Foley J A	Huth	O'Brian	Walters
Cavanaugh	Fowler	Jackson	Oliver	Waters
Chamberlain	Francis	Jacobs	Parker	Weber
Cole	Ganly	Keller	Patton	Weimert
Collins	Garbe	Lausing	Phillips	Wells
Colné	Geoghagan	Lee	Prentice	West
Conklin	Glore	Lewis	Ralston	Whitley
Conrad	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman	Marlatt	Sheridan	

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Brooks (No. 2823, Int. No. 1930), entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of raising money to construct, maintain, extend, operate, repair and regulate water works."

Also, Assembly bill introduced by Mr. Brooks (No. 2824, Int. No. 1931), entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of refunding one hundred thousand dollars of water fund bonds due and paid October first, nineteen hundred and three, also, for refunding one hundred thousand dollars of water fund bonds due and paid in error in the year eighteen hundred and eighty-one."

Also, Assembly bill introduced by Mr. Brooks (No. 2825, Int. No. 1932), entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of refunding a certain certificate of indebtedness, payable July first, nineteen hundred and eight."

Also, Assembly bill introduced by Mr. Ralston (No. 2826, Int. No. 1933), entitled "An act to legalize the acts of Edward B. Thompson performed as commissioner of deeds," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Agnew (No. 1368, Assembly reprint No. 2833, Rec. No. 349), entitled "An act to amend chapter three hundred and thirty-four of the Laws of nineteen hundred and one, entitled 'An act in relation to tenement houses in cities of the first class,' as heretofore amended, in relation to measuring the height of tenement houses fronting on a part of Riverside drive, in the city of New York."

Also, Senate bill introduced by Mr. Agnew (No. 33, Rec. No. 259), entitled "An act to amend the Penal Code, relative to violations of provisions of the Labor Law."

Also, Senate bill introduced by Mr. Carpenter (No. 257, Rec. No. 92), entitled "An act to release to Giuseppe Barese all the right, title and interest of the people of the State of New York, in and to certain real estate, situate in the village of Ossining, county of Westchester and State of New York."

Also, Senate bill introduced by Mr. Cassidy (No. 1665, Rec. No. 413), entitled "An act to amend chapter three hundred and forty-eight of the Laws of eighteen hundred and eighty-five, entitled 'An act to authorize the appointment of stenographers for grand juries, and to fix the compensation of such stenographers, relative to the appointment of stenographers to take evidence before grand juries and at coroner's inquests, and examinations and trials of criminal cases.'"

Also, Senate bill introduced by Mr. Knapp (No. 744, Rec. No. 366), entitled "An act to amend the Penal Code, relating to the sentencing of certain convicts to State prisons."

Also, Senate bill introduced by Mr. Knapp (No. 1532, Rec. No. 420), entitled "An act to amend section six hundred and eighty-seven-a of the Penal Code, relative to sentencing prisoners."

Also, Senate bill introduced by Mr. Page (No. 1696, Rec. No. 450), entitled "An act to amend chapter seven hundred and forty-of the Laws of eighteen hundred and ninety-six, as amended by chapter six hundred and seventy-six of the Laws of nineteen hundred and one, entitled 'An act to amend the charter of the city of New York, and to authorize its appointment as general guardian of the person and property of infants under its care and control.'"

Also, Senate bill introduced by Mr. McCarren (No. 1480, Rec. No. 383), entitled "An act to permit the city of New York to sell or lease to the Cooper Union for the advancement of science and art the block of ground in said city, bounded by Third avenue, East Sixth street, East Seventh street and Hall place, with the building thereon."

Also, Senate bill introduced by Mr. White (No. 1653, Rec. No. 457), entitled "An act to legalize bonds of the village of East Syracuse, to be issued for the purpose of enabling the village of East Syracuse to borrow the sum of ten thousand dollars for the purpose of completing the sewer system of the village of East Syracuse, and the purchase of necessary machinery for the operation and maintenance of the sewer system of the village, and to sell twenty bonds of the village of the denomination of five hundred dollars each, aggregating the sum of ten thousand dollars, as provided by the Village Law and the Municipal Corporation Law, and to legalize all steps, proceedings and resolutions of the board of trustees of the village of East Syracuse, in relation to the sale and issue of said bonds, including the proposition submitted to the qualified electors of the village at a general election thereof, held therein on the nineteenth day of March, nineteen hundred and seven, and all proceedings of said board of trustees in relation and subsequent thereto, including the advertisement and sale of the bonds authorized by said proposition, on the twentieth day of April, nineteen hundred and seven, and to provide for the payment of the principal and interest of said bonds."

Also, Senate bill introduced by Mr. Raines (No. 1333, Rec. No. 321), entitled "An act to provide further buildings and other

facilities at the New York Agricultural Experiment Station, and making an appropriation therefor," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Whitley (No. 2251, Int. No. 290), entitled "An act to amend the Domestic Commerce Law, in relation to fire escapes in hotels and rooming-houses," reported the same with the following amendments:

Page 1, line 8, strike out the brackets enclosing the words "exceeding two stories in height", and after the word "rooming-house" in same line insert the words "exceeding two stories in height, and".

Page 1, strike out all of line 10.

Page 2, strike out all of lines 1, 2, 3, 4 and strike out line 5 up to and including the word "or".

Page 2, lines 6 and 7, strike out the brackets enclosing the words "of such hotel" and after the word "hotel" insert the words "or rooming-house".

Page 2, line 7, strike out the words "not connected with an outside iron fire-escape.

Page 2, line 8, strike out the words "above the ground floor".

Page 2, line 9, beginning with "composed", strike out balance of line, and also lines 10 and 11 up to and including "room".

Page 2, line 11, strike out "by", strike out lines 12 and 13 as far as and including "secured".

Page 2, line 16, strike out the left bracket after the word "shall".

Page 3, line 2, strike out the right bracket after the word "use".

Page 2, line 25, after the word "hotel" insert the words "or rooming-house".

Page 3, line 2, strike out beginning with the words "at all times" up to and including the words "for such use" on line 18.

Page 4, line 10, strike out both pairs of brackets".

and requests that said bill be reprinted, as amended, and recommended to said committee.

Which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Robinson (No. 1929, Int. No. 723) entitled "An act to amend the Greater New York charter, relative to aldermanic districts, the division of the city into the same and the boundaries thereof, and to districts for home rule and local improvements," reported the same with the following amendments:

By inserting a bracket between the colon and the word "Each" on line 8 of page 1.

By striking out brackets as follows before and after the word "one" on line 1 and between the colon and the word "the" on line 3 of page 2.

By striking out the word "seven" on line 2 of page 2.

By striking out lines 6 to 26, inclusive, on page 10, all of pages 11, 12, 13, 14, 15 and 16, and lines 1 to 14, inclusive, on page 17, and substituting the following:

"The first aldermanic district shall consist of that portion of the thirteenth senate district within and bounded by a line beginning at the Hudson or North river and Clarkson street and running thence along Clarkson street to Carmine street, to Sixth avenue, to West Third street, to Broadway, to Worth street, to Park Row, to North William street, thence along North William street and William street to Beaver street, to Broadway, thence along Broadway and Whitehall street to the East river, thence around the southern end of Manhattan island and along the East river and the Hudson or North river to the place of beginning; and also Governor's, Bedloe's and Ellis islands.

"The second aldermanic district shall consist of that portion of the eleventh senate district within and bounded by a line beginning at the East river and Whitehall street, thence along Whitehall street and Broadway to Beaver street, to William street, thence along William street and North William street to Park Row, to East Broadway, to Catherine street, to Henry street, to Clinton street, to Grand street, Gouverneur street to Madison street, to Montgomery street, to the Erie river, thence along the East river to the place of beginning.

"The third aldermanic district shall consist of that portion of the twelfth senate district within and bounded by a line beginning at Broadway and Worth street, thence along Broadway to Great Jones street, to Lafayette street, to Astor place, to Fourth avenue, to East Fourteenth street, to Second avenue, to Chrystie street, to

Division street, to Catherine street, to East Broadway, to Park Row, to Worth street, thence along Worth street to the place of beginning.

"The fourth aldermanic district shall consist of that portion of the eleventh senate district within and bounded by a line beginning at the East river and Montgomery street, thence along Montgomery street to Madison street, to Gouverneur street, to Grand street, to Clinton street, to Stanton street, to the East river, and thence along the East river to the place of beginning.

"The fifth aldermanic district shall consist of that portion of the thirteenth senate district within and bounded by a line beginning at the Hudson or North river and Clarkson street, thence along Clarkson street to Carmine street, to Sixth avenue, to West Washington place, to West Fourth street, to Christopher street, to Bleecker street, to Eighth avenue, to West Fourteenth street, to Seventh avenue, to West Eighteenth street, to Ninth avenue, to West Nineteenth street, to Tenth avenue, to West Eighteenth street, to Hudson or North river, thence along the Hudson or North river to the place of beginning.

"The sixth aldermanic district shall consist of that portion of the twelfth senate district within and bounded by a line beginning at the East river and Stanton street, thence along Stanton street to Norfolk street, to East Houston street, to Avenue A, to Second street, to Avenue B to East Tenth street, to Avenue D to East Eighth street, to East river, thence along the East river to the place of beginning.

"The seventh aldermanic district shall consist of that portion of the thirteenth senate district within and bounded by a line beginning at the Hudson or North river and West Eighteenth street, thence along West Eighteenth street to Tenth avenue, to West Nineteenth street, to Ninth avenue, to West Eighteenth street, to Seventh avenue, to West Twenty-second street, to Eighth avenue, to West Twenty-fifth street, to Seventh avenue, to West Thirty-first street, to Ninth avenue, to West Thirty-second street, to Tenth avenue, to West Thirtieth street to the Hudson river, thence along the Hudson or North river to the place of beginning.

"The eighth aldermanic district shall consist of that portion of the eleventh senate district within and bounded by a line beginning at the junction of Catherine and Henry streets, and running thence along Catherine street to Division street, to Chrystie street, to Stanton street, to Clinton street, to Henry street, and thence along Henry street to the place of beginning.

"The ninth aldermanic district shall consist of that portion of the fifteenth senate district within and bounded by a line beginning at the Hudson or North river and West Forty-fourth street,

and running thence along West Forty-fourth street to Eleventh avenue, to West Forty-third street, to Eighth avenue, to West Thirty-eighth street, to Seventh avenue, to West Thirty-first street, to Ninth avenue, to West Thirty-second street, to Tenth avenue, to West Thirtieth street, to the Hudson or North river, and thence along the Hudson or North river to the place of beginning.

“ The tenth aldermanic district shall consist of that portion of the twelfth senate district within and bounded by a line beginning at the junction of Stanton and Chrystie streets, and running thence along Chrystie street to Second avenue, to East Fourteenth street, to Avenue A, to East Tenth street, to Avenue B, to Second street, to Avenue A, to East Houston street, to Norfolk street, to Stanton street, and thence along Stanton street to the place of beginning.

“ The eleventh aldermanic district shall consist of that portion of the fifteenth senate district within and bounded by a line beginning at the Hudson or North river and West Fifty-second street, and running thence along West Fifty-second street to Eleventh avenue, to West Fifty-first street, to Tenth avenue, to West Fifty-second street, to Eighth avenue, to West Forty-third street, to Eleventh avenue, to West Forty-fourth street, to the Hudson or North river, and thence along the Hudson or North river to the place of beginning.

“ The twelfth aldermanic district shall consist of that portion of the fourteenth senate district within and bounded by a line beginning at the East river and East Eighth street, and running thence along East Eighth street to Avenue D, to East Tenth street, to Avenue A, to East Fourteenth street, to Irving place, to East Fifteenth street, to Third avenue, to East Twenty-third street, to Second avenue, to East Twenty-fourth street, to First avenue, to East Twenty-third street, to the East river, and thence along the East river to the place of beginning.

“ The thirteenth aldermanic district shall consist of that portion of the fifteenth senate district within and bounded by a line beginning at the Hudson or North river and West Sixty-seventh street, and running thence along West Sixty-seventh street to Amsterdam avenue, to West Sixty-fourth street, to Columbus or Ninth avenue, to West Fifty-seventh street, to Eighth avenue, to West Fifty-second street, to Tenth avenue, to West Fifty-first street, to Eleventh avenue, to West Fifty-second street, to the Hudson or North river, and thence along the Hudson or North river to the place of beginning.

“ The fourteenth aldermanic district shall consist of that portion of the fourteenth senate district within and bounded by a line beginning at the East river and East Twenty-third street, and running thence along East Twenty-third street to First avenue, to

East Twenty-fourth street, to Second avenue, to East Twenty-third street, to Lexington avenue, to East Thirty-fourth street, to Third avenue, to East Fortieth street, to Lexington avenue, to East Forty-second street, to Prospect place, to East Forty-third street, to the East river, and thence along the East river to the place of beginning.

“The fifteenth aldermanic district shall consist of that portion of the eighteenth senate district within and bounded by a line beginning at the Hudson or North river and West Ninety-first street, and running thence along West Ninety-first street to Broadway, to West Ninety-fourth street, to Columbus avenue, to West Eighty-third street, to Central Park west, to West Sixty-seventh street, to Columbus avenue, to West Sixty-fourth street, to Amsterdam avenue, to West Sixty-seventh street, to the Hudson or North river, and thence along the Hudson or North river to the place of beginning.

“The sixteenth aldermanic district shall consist of that portion of the fourteenth senate district within and bounded by a line beginning at the East river and East Forty-third street, and running thence along East Forty-third street to Prospect place, to East Forty-second street, to Lexington avenue, to East Fifty-sixth street, to the East river, and thence along the East river to the place of beginning, and also Blackwell's island.

“The seventeenth aldermanic district shall consist of that portion of the eighteenth senate district within and bounded by a line beginning at the Hudson or North river and West One Hundred and First street, running thence along West One Hundred and First street, to Amsterdam avenue, to West One Hundred and Sixth street, to Columbus avenue, to West One Hundred and Seventh street, to Central Park west, to West Eighty-third street, to Columbus avenue, to West Ninety-fourth street, to Broadway, to West Ninety-first street, and thence along West Ninety-first street to the Hudson or North river, and thence along the Hudson or North river to the place of beginning.

“The eighteenth aldermanic district shall consist of that portion of the sixteenth senate district within and bounded by a line beginning at the East river and East Fifty-sixth street, and running thence along East Fifty-sixth street to Third avenue, to East Sixty-ninth street, to Lexington avenue, to East Seventieth street, to Third avenue, to East Seventy-third street, to Second avenue, to East Seventy-fourth street, to First avenue, to East Seventy-third street, to the East river, and thence along the East river to the place of beginning.

“The nineteenth aldermanic district shall consist of that portion of the eighteenth senate district within and bounded by a line be-

ginning at the Hudson or North river and West One Hundred and Thirty-third street, and running thence along West One Hundred and Thirty-third street to Amsterdam avenue, to West One Hundred and Thirtieth street, to Convent avenue, to Morningside avenue, to West One Hundred and Twentieth street, to Manhattan avenue, to West One Hundred and Eighteenth street, to Saint Nicholas avenue, to West One Hundred and Seventeenth street, to Seventh avenue, to West One Hundred and Tenth street, to Fifth avenue, to Ninety-seventh street, transverse road, to Central Park west, to West One Hundred and Seventh street, to Columbus avenue, to West One Hundred and Sixth street, to Amsterdam avenue, to West One Hundred and First street, to the Hudson or North river, and thence along the Hudson or North river to the place of beginning.

“The twentieth aldermanic district shall consist of that portion of the sixteenth senate district within and bounded by a line beginning at the East river and East Seventy-third street, and running thence along East Seventy-third street to First avenue, to East Seventy-fourth street, to Second avenue, to East Seventy-third street, to Third avenue, to East Seventy-fourth street, to Lexington avenue, to East Eighty-fourth street, to Third avenue, to East Eighty-third street, to Second avenue, to East Eighty-second street, to the East river, and thence along the East river to the place of beginning.

“The twenty-first aldermanic district shall consist of that portion of the nineteenth senate district within and bounded by a line beginning at the Hudson or North river and West One Hundred and Forty-first street, and running thence along West One Hundred and Forty-first street to Seventh avenue, to West One Hundred and Thirty-sixth street, to Lenox avenue, to West One Hundred and Thirty-fifth street, to Fifth avenue, to West One Hundred and Twenty-seventh street to Eighth avenue, to West One Hundred and Twenty-third street, to Morningside avenue east, to Convent avenue, to West One Hundred and Thirtieth street, to Amsterdam avenue, to West One Hundred and Thirty-third street, to the Hudson or North river, and thence along the Hudson or North river to the place of beginning.

“The twenty-second aldermanic district shall consist of that portion of the sixteenth senate district within and bounded by a line beginning at the East river and East Eighty-second street, running thence along East Eighty-second street to Second avenue, to East Eighty-third street, to Third avenue, to East Eighty-fourth street, to Lexington avenue to East Eighty-eighth street to Second avenue, to East Ninety-first street, to First avenue, to East Ninety-second street, to the East river, and thence along the East river to the place of beginning.

"The twenty-third aldermanic district shall consist of that portion of the nineteenth senate district within and bounded by a line beginning at the Hudson river and West One Hundred and Forty-eighth street, to Saint Nicholas avenue, to West One Hundred and Fiftieth street, to Edgecomb avenue, to St. Nicholas place, to the Harlem river drive known as the Speedway, to the Harlem river, to Spuyten Duyvil creek, to the Hudson river to the place of beginning.

"The twenty-fourth aldermanic district shall consist of that portion of the said nineteenth senate district within and bounded by a line beginning at the Hudson river and West One Hundred and Forty-eighth street, to Saint Nicholas avenue, to West One Hundred and Fiftieth street, to Edgecomb avenue, to Saint Nicholas place, to the Harlem river drive known as the Speedway, to the Harlem river, to Lenox avenue, to West One Hundred and Thirty-sixth street, to Seventh avenue, to West One Hundred and Forty-first street, to the Hudson river, to the place of beginning.

"The twenty-fifth aldermanic district shall consist of that portion of the twentieth senate district within and bounded by a line beginning at the East river and East Ninety-second street, and running thence along East Ninety-second street to First avenue, to East Ninety-first street, to Second avenue, to East Eighty-eighth street, to Lexington avenue, to East Ninety-first street, to Third avenue, to East Ninety-ninth street, to Lexington avenue, to East One Hundredth street, to Park avenue, to East One Hundred and Fifth street, to Lexington avenue, to East One Hundred and Sixth street to Third avenue, to East One Hundred and Fifth street, to Second avenue, to East One Hundred and Sixth street, to the East river, and thence along the East river to the place of beginning.

"The twenty-sixth aldermanic district shall consist of that portion of the seventeenth senate district within and bounded by a line beginning at Seventh avenue and West Twenty-eighth street, and running thence along West Twenty-eighth street to Sixth avenue, to West Twenty-ninth street, to Fifth avenue, to East Thirteenth street, to Fourth avenue, to East Thirty-first street, to Lexington avenue, to East Twenty-third street, to Third avenue, to East Fifteenth street, to Irving place, to East Fourteenth street, to Fourth avenue, to Astor place, to Lafayette street, to Great Jones street, thence along Great Jones street and West Third street to Sixth avenue, to West Washington place, to West Fourth street, to Christopher street, to Bleecker street, to Eighth avenue, to West Fourteenth street, to Seventh avenue, to West Twenty-second street, to Eighth avenue, to West Twenty-fifth street, to Seventh avenue, to West Twenty-eighth street, to the place of beginning.

“ The twenty-seventh aldermanic district shall consist of that portion of the twentieth senate district beginning at East Ninety-first street and Lexington avenue, running thence along East Ninety-first street to Third avenue, to East Ninety-ninth street, to Lexington avenue, to East One Hundredth street, to Park avenue, to East One Hundred and Fifth street, to Lexington avenue, to East One Hundred and Eighth street, to Park avenue, to East One Hundred and Twentieth street, to Fifth avenue, to East Ninety-sixth street, to Lexington avenue, and thence along Lexington avenue the place of beginning.

“ The twenty-eighth aldermanic district shall consist of that portion of the seventeenth senate district within and bounded by a line beginning at Eighth avenue and West Fifty-seventh street, and running thence along West and East Fifty-seventh street to Park avenue, to East Fifty-fifth street, to Lexington avenue, to East Fortieth street, to Third avenue, to East Thirty-fourth street, to Lexington avenue, to East Thirty-first street, to Fourth avenue, to East Thirtieth street, to Fifth avenue, to West Twenty-ninth street, to Sixth avenue, to West Twenty-eighth street, to Seventh avenue, to West Thirty-eighth street, to Eighth avenue, and thence along Eighth avenue to the place of beginning.

“ The twenty-ninth aldermanic district shall consist of that portion of the twentieth senate district within and bounded by a line beginning at the East river and East One Hundred and Sixth street, and running thence along East One Hundred and Sixth street to Second avenue, to East One Hundred and Fifth street, to Third avenue to East One Hundred and Sixth street, to Lexington avenue, to East One Hundred and Eighth street, to Park avenue, to East One Hundred and Nineteenth street, to Third avenue, to East One Hundred and Seventeenth street, to Second avenue, to East One Hundred and Fifteenth street, to Pleasant avenue, to East One Hundred and Sixteenth street, to the East river, and thence along the East river to the place of beginning; and also Ward's and Randall's islands.

“ The thirtieth aldermanic district shall consist of that portion of the seventeenth senate district within and bounded by a line beginning at Central Park west and Ninety-seventh street transverse road, and running thence along Ninety-seventh street transverse road to Fifth avenue, to East Ninety-sixth street, to Lexington avenue, to East Seventy-fourth street, to Third avenue, to East Seventieth street, to Lexington avenue, to East Sixty-ninth street, to Third avenue, to East Fifty-sixth street, to Lexington avenue, to East Fifty-fifth street, to Park avenue, to East Fifty-seventh street, to West Fifty-seventh street, to Ninth or Columbus avenue, to West Sixty-seventh street, to Central Park west, and thence along Central Park west to the place of beginning.

"The thirty-first aldermanic district shall consist of that portion of the twenty-first senate district within and bounded by a line beginning at Lenox avenue and West One Hundred and Thirty-fifth street, to Fifth avenue, to East One Hundred and Twenty-ninth street, to Madison avenue, to East One Hundred and Twentieth street, to Park avenue, to East One Hundred and Nineteenth street, to Lexington avenue, to the Harlem river, to Lenox avenue, to the place of beginning.

"The thirty-second aldermanic district shall consist of that portion of the twenty-first senate district within and bounded by a line beginning at Lexington avenue and East One Hundred and Nineteenth street, to Third avenue, to East One Hundred and Seventeenth street, to Second avenue, to East One Hundred and Fifteenth street, to Pleasant avenue, to East One Hundred and Sixteenth street, to the East river, to the Harlem river, to Lexington avenue, to the place of beginning.

The thirty-third aldermanic district shall consist of that portion of the nineteenth senate district within and bounded by a line beginning at Morningside avenue east, and West One Hundred and Twenty-third street, and running thence along West One Hundred and Twenty-third street to Eighth avenue, to West One Hundred and Twenty-seventh street, to Fifth avenue, to East One Hundred and Twenty-ninth street, to Madison avenue, to East One Hundred and Twentieth street, to Fifth avenue, to West One Hundred and Tenth street, to Seventh avenue, to West One Hundred and Seventeenth street, to Saint Nicholas avenue, to West One Hundred and Eighteenth street, to Manhattan avenue, to West One Hundred and Twentieth street, to Morningside avenue east, and thence running along Morningside avenue east to the place of beginning.

The thirty-fourth aldermanic district shall consist of that portion of the twenty-first senate district within and bounded by a line beginning at the Harlem river and East One Hundred and Forty-ninth street, and running thence along East One Hundred and Forty-ninth street to Park avenue, to East One Hundred and Forty-sixth street, to Third avenue, to East One Hundred and Forty-eighth street, to Saint Ann's avenue, to East One Hundred and Forty-ninth street, to Prospect avenue, to Westchester avenue, to the Bronx river, to Long Island sound, thence along the Long Island sound, Bronx kills and the Harlem river to the place of beginning; and also the islands of Long Island sound adjacent thereto within the county of New York.

That portion of the twenty-first senate district lying east of the Bronx river and designated in section four hundred and twenty-five of this act as Chester, is hereby divided into two aldermanic districts as follows:

That portion of said Chester which is bounded on the north by the New York city lines; on the south by the old Boston post road from the Bronx river to Fordham and Pelham avenue (Bronx and Pelham parkway) to Westchester creek; on the west, by the Bronx river from the old Boston post road to the New York city line; on the east, by Westchester creek, Givan's creek and Hutchinson's river to the New York city line, formerly known as parts of the former towns of Eastchester and Westchester of the county of Westchester, shall constitute the thirty-fifth aldermanic district.

That portion of said Chester which is bounded on the north by the old Boston road from the Bronx river to Fordham and Pelham avenue (Bronx and Pelham parkway) to Westchester creek, to Givan's creek, to Hutchinson's river, to the New York city line, to Long Island sound; on the south, by Long Island sound; on the west, by the Bronx river, from the old Boston post road to Long Island sound; on the east, by Long Island sound, including the islands which lie within the city of New York belonging to the former town of Pelham, and which parts were formerly known as the towns of Westchester and Pelham of the county of Westchester, shall constitute the thirty-sixth aldermanic district.

The thirty-seventh aldermanic district shall consist of that portion of the twenty-second senate district within and bounded by a line beginning at East One Hundred and Forty-ninth street and Mott avenue, and running thence along Mott avenue to East One Hundred and Sixty-first street, to Morris avenue, to East One Hundred and Sixty-second street, to Park avenue, to East One Hundred and Sixty-fifth street, to Third avenue, to Franklin avenue, to East One Hundred and Sixty-sixth street, to Boston road, to Cauldwell avenue, to East One Hundred and Sixty-third street, to Eagle avenue, to East One Hundred and Sixty-first street, to Cauldwell avenue, to East One Hundred and Fifty-eighth street, to Westchester avenue, to Prospect avenue, to East One Hundred and Forty-ninth street, to Saint Ann's avenue, to East One Hundred and Forty-eighth street, to Third avenue, to East One Hundred and Forty-sixth street, to Park avenue, to East One Hundred and Forty-ninth street; thence along East One Hundred and Forty-ninth street to the place of beginning.

The thirty-eighth aldermanic district shall consist of that portion of the twenty-second senate district within and bounded by a line beginning at Third avenue and East One Hundred and Sixty-fifth street, and running thence along Third avenue to East One Hundred and Seventy-fourth street, to Park avenue, to East One Hundred and Eighty-fourth street, to Hoffman street, to Pelham avenue, to the Bronx river, to Westchester avenue, to East One Hundred and Fifty-eighth street, to Cauldwell avenue, to

East One Hundred and Sixty-first street, to Eagle avenue, to East One Hundred and Sixty-third street, to Cauldwell avenue, to Boston road, to East One Hundred and Sixty-sixth street, to Franklin avenue, to Third avenue, and thence along Third avenue to the place of beginning.

The thirty-ninth aldermanic district shall consist of that portion of the twenty-second senate district within and bounded by a line beginning at the Harlem river and East One Hundred and Forty-ninth street to Mott avenue, to Grand boulevard and concourse, to East One Hundred and Seventieth street, to Teller avenue, to Morris avenue, to Belmont street, to Clay avenue, to East One Hundred and Seventy-third street, to Anthony avenue, to Grand boulevard and concourse, to East One Hundred and Eighty-fourth street, to Marion avenue, to East One Hundred and Eighty-seventh street, to Hoffman street, to Pelham avenue, to Southern boulevard, to East Two Hundredth street, to Jerome avenue, to Fordham road, to the Harlem river, to the place of beginning.

The fortieth aldermanic district shall consist of that portion of the twenty-second senate district within and bounded by a line beginning at Grand boulevard and concourse and East One Hundred and Sixty-first street, to Morris avenue, to East One Hundred and Sixty-second street, to Park avenue, to East One Hundred and Sixty-fifth street, to Third avenue, to East One Hundred and Seventy-fourth street, to Park avenue, to East One Hundred and Eighty-fourth street, to Hoffman street, to East One Hundred and Eighty-seventh street, to Marion avenue, to East One Hundred and Eighty-fourth street, to Grand boulevard and concourse, to Anthony avenue, to East One Hundred and Seventy-third street, to Clay avenue, to Belmont street, to Morris avenue, to Teller avenue, to East One Hundred and Seventieth street, to Grand boulevard and concourse, to the place of beginning.

The forty-first aldermanic district shall consist of that portion of the twenty-second senate district within and bounded by a line beginning at the Harlem river and Fordham road, to Jerome avenue, to East Two Hundredth street and the Southern boulevard, to Pelham avenue, to the Bronx river, to the New York city line, to the Hudson river, to Spuyten Duyvil creek, to the Harlem river, to the place of beginning.

The forty-second aldermanic district shall consist of that portion of the county of Kings within and bounded by a line beginning at the East river and Fulton street, running thence along Fulton street to Columbia Heights, to Middagh street, to Fulton street, to Concord street, to Liberty street, to Fulton street, to Myrtle avenue, to Pearl street, to Willoughby street, to Lawrence

street, to Johnson street, to Bridge street, to Tillary street, to Duffield street, to Navy street, to Myrtle avenue, to Raymond street, to Bolivar street, to Saint Edwards street, to Willoughby street, to Raymond street, to Lafayette street, to Navy street, to Rockwell place, to Fulton street, to Hudson avenue, to Flatbush avenue, to Fourth avenue, to Bergen street, to Court street, to Amity street, to Clinton street, to Baltic street, to Warren place, to Warren street, to Henry street, to Congress street, to Hicks street, to State street, to Furman street, to Atlantic avenue, to the East river, and thence to the place of beginning.

The forty-third aldermanic district shall consist of that portion of the county of Kings within and bounded by a line beginning at the East river and Fulton street, running thence along Fulton street to Columbia Heights, to Middagh street, to Fulton street, to Concord street, to Liberty street, to Fulton street, to Myrtle avenue, to Pearl street, to Willoughby street, to Lawrence street, to Johnson street, to Bridge street, to Tillary street, to Duffield street, to Johnson street, to Navy street, to Myrtle avenue, to Raymond street, to Bolivar street, to Saint Edwards street, to Willoughby street, to Raymond street, to Lafayette street, to Navy street, to DeKalb avenue, to Washington Park, to Myrtle avenue, to Carlton avenue, to Park avenue, to Hall street, to Flushing avenue, to Washington avenue, and running thence along Washington avenue to the Wallabout canal, to the Wallabout channel, to Wallabout bay, East river, and thence to the place of beginning.

The forty-fourth aldermanic district shall consist of that portion of the county of Kings within and bounded by a line beginning at the East river and Atlantic avenue, and running thence to Furman street, to State street, to Hicks street, to Congress street, to Henry street, to Warren street, to Warren place, to Baltic street, to Clinton street, to Amity street, to Court street, to Third place, to Clinton street, to Huntington street, to Henry street, to Mills street, to Columbia street, to Gowanus bay, and thence around the westerly side along the waters of Gowanus bay, Buttermilk channel and the East river, to the place of beginning.

The forty-fifth aldermanic district shall consist of that portion of the county of Kings within and bounded by a line beginning at the Wallabout canal and running thence along Washington avenue, to Flushing avenue, to Hall street, to Park avenue, to Skillman street, to Willoughby avenue, to Bedford avenue, to Lafayette avenue, to Marcy avenue, to Kosciusko street, to Nosstrand avenue, to Flushing avenue, to Harrison avenue, to Hooper street, to Broadway, to Rodney street, to South First street, to Marcy avenue, to South Second street, to Havemeyer street, to Broadway, to South Sixth street, to Berry street, to Broadway, to

the East river, to Wallabout bay, to Wallabout channel, to Wallabout canal, to the place of beginning.

The forty-sixth aldermanic district shall consist of that portion of the county of Kings within and bounded by a line beginning at the intersection of Lewis avenue and Lafayette avenue and running thence along Lewis avenue to McDonough street, to Tompkins avenue, to Fulton street, to Patchen avenue, to Sumpter street, to Howard avenue, to Marion street, to Rockaway avenue, to Broadway, to Van Buren street, to Reid avenue, to Lafayette avenue, and thence along Lafayette avenue to the place of beginning.

The forty-seventh aldermanic district shall consist of that portion of the county of Kings within and bounded by a line beginning at the intersection of Broadway and Van Buren street and running thence along Van Buren street to Reid avenue, to Lafayette avenue, to Marcy avenue, to Kosciusko street, to Nostrand avenue, to Flushing avenue, to Broadway, and thence along Broadway to the place of beginning.

The forty-eighth aldermanic district shall consist of that portion of the county of Kings within and bounded by a line beginning at Gowanus bay and Columbia street, and running thence along Columbia street to Mills street, to Henry street, to Huntington street, to Clinton street, to Nelson street, to Court street, to Huntington street, to Smith street, to Ninth street, to Second avenue, to Eighth street, to Fourth avenue, to Prospect avenue, to Eleventh avenue, to Terrace place, to Gravesend avenue, to Fort Hamilton parkway, to Thirty-seventh street, to Seventh avenue, to Forty-eighth street, to Fifth avenue, to Thirty-seventh street, to Fourth avenue, to Thirty-ninth street, and thence along Thirty-ninth street to the waters of Gowanus bay, and thence to the place of beginning.

The forty-ninth aldermanic district shall consist of that portion of the county of Kings within and bounded by a line beginning at the intersection of Nelson street and Clinton street, and running thence along Clinton street to Third place, to Court street, to Bergen street, to Fourth avenue, to Wyckoff street, to Saint Mark's place, to Fifth avenue, to Garfield place, to Fourth avenue, to Eighth street, to Second avenue, to Ninth street, to Smith street, to Huntington street, to Court street, to Nelson street, and thence to the place of beginning.

The fiftieth aldermanic district shall consist of that portion of the county of Kings within and bounded by a line beginning at Gowanus bay and Thirty-ninth street and running thence along Thirty-ninth street to Fourth avenue, to Thirty-seventh street, to Fifth avenue, to Forty-eighth street, to Seventh avenue, to Thirty-

seventh street, to Tenth avenue, to Thirty-ninth street, to Twelfth avenue, to Fortieth street, to Thirteenth avenue, to Fifty-eighth street, to Twelfth avenue, to Sixtieth street, to Thirteenth avenue, to Seventy-ninth street, to Fourteenth avenue, to Benson avenue, to Bay Seventh street, to Cropsey avenue, to Bay Eighth street, to Gravesend bay, and thence along the waters of Gravesend bay, the Narrows and Gowanus bay to the place of beginning.

The fifty-first aldermanic district shall consist of that portion of the county of Kings within and bounded by a line beginning at the intersection of Prospect place and Fifth avenue, and thence along Fifth avenue to Saint Mark's avenue, to Saint Mark's place, to Fourth avenue, to Flatbush avenue, to Fulton street, to Rockwell place, to De Kalb avenue, to Washington park, to Myrtle avenue, to Carlton avenue, to Park avenue, to Hall street, to Willoughby avenue, to Waverly avenue, to Atlantic avenue, to Saint James place, to Lefferts place, to Grand avenue, to Pacific street, to Classon avenue, to Saint Mark's avenue, to Underhill avenue, to Prospect place, to Grand avenue, to Washington avenue, to Sterling place, to Underhill avenue, to Degraw street, to Washington avenue, and thence along the easterly and southerly side of the Institute park to Flatbush avenue, thence along Flatbush avenue, to the Prospect park plaza, to Prospect park west, to President street, to Seventh avenue, to Lincoln place, to Sixth avenue, to Prospect place, and thence along Prospect place to the place of beginning.

The fifty-second aldermanic district shall consist of that portion of the county of Kings within and bounded by a line beginning at the intersection of Hall street and Park avenue and thence along Park avenue to Skillman street, to Willoughby avenue, to Bedford avenue, to Carroll street, to Franklin avenue, to Montgomery street, to Washington avenue, to Degraw street, to Underhill avenue, to Sterling place, to Washington avenue, to Grand avenue, to Prospect place, to Underhill avenue, to Saint Mark's avenue, to Classon avenue, to Pacific street, to Grand avenue, to Lefferts place, to Saint James place, to Atlantic avenue, to Waverly avenue, to Willoughby avenue, to Hall street, and thence along Hall street to the place of beginning:

The fifty-third aldermanic district shall consist of that portion of the county of Kings within and bounded by a line beginning at the intersection of Prospect place and Fifth avenue, and running thence along Prospect place to Sixth avenue, to Lincoln place, to Seventh avenue, to President street, to Prospect park west, to the Prospect park plaza, to Flatbush avenue, and thence along the easterly, southerly and westerly sides of Prospect park to Eleventh avenue, to Prospect avenue, to Fourth avenue, to Garfield place, to Fifth avenue, and thence along Fifth avenue to the place of beginning.

The fifty-fourth aldermanic district shall consist of that portion of the county of Kings within and bounded by a line beginning at the waters of Newtown creek and Meeker avenue, and running thence along Meeker avenue, to Kingsland avenue, to Richardson street, to Manhattan avenue, to Bayard street, to Humboldt street, to Briggs avenue, to Union avenue, to Ten Eyck street, to Bushwick avenue, to Montrose avenue, to Bushwick place, to Boerum street, to White street, to Cook street, to Bushwick avenue, to Flushing avenue, to Central avenue, to Forrest street, to Morgan avenue, to Noll street, to Flushing avenue, to Knickerbocker avenue, to Melrose street, to Flushing avenue, and thence along Flushing avenue and to the dividing line between Kings and Queens counties, and thence along the dividing line between Kings and Queens counties to Newtown creek, and thence along the waters of Newtown creek to the place of beginning.

The fifty-fifth aldermanic district shall consist of that portion of the county of Kings within and bounded by a line beginning at the East river and Broadway and running thence along Broadway to Berry street, to South Sixth street, to Broadway, to Havemeyer street, to South Second street, to Marcy avenue, to South First street, to Rodney street, to South Second street, to Union avenue, to Driggs avenue, to Leonard street, to Norman avenue, to Manhattan avenue, to Noble street, to Franklin avenue, to India street, and thence along India street to the waters of the East river, and thence to the place of beginning.

The fifty-sixth aldermanic district shall consist of that portion of the county of Kings within and bounded by a line beginning at the East river and India street and running thence along India street to Franklin street, to Noble street, to Manhattan avenue, to Norman avenue, to Leonard street, to Driggs avenue, to Humboldt street, to Bayard street, to Manhattan avenue, to Richardson street, to Kingsland avenue, to Meeker avenue, to the Newtown creek and thence along the waters of Newtown creek and the East river to the place of beginning.

The fifty-seventh aldermanic district shall consist of that portion of the county of Kings within and bounded by a line beginning at Bay Eighth street and Gravesend bay and running thence along Bay Eighth street to Cropsey avenue, to Bay Seventh street, to Benson avenue, to Fourteenth avenue, to Seventy-ninth street, to Thirteenth avenue, to Sixtieth street, to Twelfth avenue, to Fifty-eighth street, to Thirteenth avenue, to Fortieth street, to Twelfth avenue, to Thirty-ninth street, to Tenth avenue, to Thirty-seventh street, to Fort Hamilton avenue, to Gravesend avenue, to Terrace place, to Eleventh avenue, to Fifteenth street, to Coney Island avenue, to Vanderbilt street, to Prospect avenue, to Fort

Hamilton avenue, to Poplar street, to Johnson street, to Coney Island avenue, to Foster avenue, to East Seventeenth street, to Avenue I, to Flatbush avenue, to East Thirty-fourth street, to Avenue J, to Schenectady avenue, to Flatbush avenue, to Avenue R, to Burnett street, to Garrettson's mill pond, and thence along the waters of Garrettson's creek, Sheepshead bay, the Atlantic ocean and Gravesend bay, to the place of beginning.

The fifty-eighth aldermanic district shall consist of that portion of the county of Kings within and bounded by a line beginning at the intersection of Dean street and Bedford avenue, and running thence along Bedford avenue to Lafayette avenue, to Lewis avenue, to McDonough street, to Tompkins avenue, to Fulton street, to Schenectady avenue, to Pacific street, to Utica avenue, to Bergen street, to Albany avenue, to Atlantic avenue, to New York avenue, to Dean street, and thence along Dean street to the place of beginning.

The fifty-ninth aldermanic district shall consist of that portion of the county of Kings within and bounded by a line beginning at the intersection of Dean street and Bedford avenue, and running thence along Dean street to New York avenue, to Atlantic avenue, to Albany avenue, to Bergen street, to Utica avenue, to Church avenue, to East Forty-ninth street, to Grant street, to Schenectady avenue, to Avenue J, to East Thirty-fourth street, to Flatbush avenue, to Avenue I, to East Seventeenth street, to Foster avenue, to Coney Island avenue, to Johnson street, to Poplar street, to Fort Hamilton avenue, to Prospect avenue, to Vanderbilt street, to Coney Island avenue, and thence around the southerly and easterly sides of Prospect park to Flatbush avenue, to southerly side of Institute park, to Washington avenue, to Montgomery street, to Franklin avenue, to Carroll street, to Bedford avenue, and thence along Bedford avenue to the place of beginning.

The sixtieth aldermanic district shall consist of that portion of the county of Kings within and bounded by a line beginning at the dividing line between Kings and Queens counties at Flushing avenue, and running thence along Flushing avenue to Melrose street, to Knickerbocker avenue, to Flushing avenue, to Noll street, to Hamburg avenue, to Forrest street, to Flushing avenue, to Bushwick avenue, to Cook street, to White street, to Boerum street, to Bushwick avenue, to Moore street, to Morrell street, to Flushing avenue, to Beaver street, to Park street, to Broadway, to DeKalb avenue, to Myrtle avenue, to Cedar street, to Central avenue, to DeKalb avenue, to Hamburg avenue, to Himrod street, to Knickerbocker avenue, to Harmon street, to Irving avenue, to Himrod street, to Wyckoff avenue, to Harmon street, to Saint Nicholas avenue, to Stanhope street, to the dividing line between Kings and

Queens counties, and thence along the dividing line between Kings and Queens counties to the place of beginning.

The sixty-first aldermanic district shall consist of that portion of the county of Kings within and bounded by a line beginning at the intersection of the dividing line between Kings and Queens counties at Stanhope street, and running thence along Stanhope street to Saint Nicholas avenue, to Harmon street, to Wyckoff avenue, to Himrod street, to Irving avenue, to Harmon street, to Knickerbocker avenue, to Himrod street, to Hamburg avenue, to DeKalb avenue, to Central avenue, to Cedar street, to Myrtle avenue, to DeKalb avenue, to Broadway, to Moffat street, to Evergreen avenue, to Hancock street, to Central avenue, to Linden street, to Wyckoff avenue, to Ralph street, to Saint Nicholas avenue, to Bleecker street, and thence along Bleecker street to the dividing line between Kings and Queens counties, and thence along the dividing line between Kings and Queens counties to the place of beginning.

The sixty-second aldermanic district shall consist of that portion of the county of Kings within and bounded by a line beginning at the intersection of Bushwick avenue and Ten Eyck street, and thence along Ten Eyck street to Union avenue, to South Second street, to Rodney street, to Broadway, to Hooper street, to Harrison avenue, to Flushing avenue, to Broadway, to Park street, to Beaver street, to Flushing avenue, to Morrell street, to Moore street, to Bushwick avenue, to Boerum street, to Bushwick place, to Montrose avenue, to Bushwick avenue, to and thence along Bushwick avenue to the place of beginning.

The sixty-third aldermanic district shall consist of that portion of the tenth senate district of the state of New York, within and bounded by a line beginning at the intersection of Bleecker street and the Queens county line, thence along Queens county line to the boundary line between the twenty-sixth and twenty-eighth wards, to Bushwick avenue, to Stewart street, to Broadway to the boundary line between the twenty-fifth and twenty-sixth wards, to Atlantic avenue, to Rochester avenue, to Fulton street, to Patchen avenue, to Sumpter street, to Howard avenue, to Marion street, to Rockaway avenue, to Broadway, to Moffat street, to Evergreen avenue, to Hancock street, to Central avenue, to Linden street, to Wyckoff avenue, to Ralph street, to Saint Nicholas avenue, to Bleecker street, to the point of beginning.

The sixty-fourth aldermanic district shall consist of that portion of the tenth senate district of the state of New York within and bounded by a line beginning at the intersection of the boundary line between the twenty-sixth and twenty-eighth wards and Bushwick avenue, running thence along the said boundary line of the

twenty-sixth and twenty-eighth wards to the boundary line between Kings and Queens counties, to Duck Point marsh, to Jamaica bay, through the waters of Jamaica bay to Pennsylvania avenue, to Jamaica avenue, to Flushing avenue, to the point of beginning.

The sixty-fifth aldermanic district shall consist of that portion of the tenth senate district of the state of New York within and bounded by a line beginning at the intersection of Stewart street and Bushwick avenue, thence along Bushwick avenue to Jamaica avenue, to Pennsylvania avenue, to the waters of Jamaica bay, thence along the waters of Jamaica bay, in a southerly direction, to a point in the boundary line between Kings and Queen counties opposite the easterly end of Duck Point marsh, thence along the boundary line between Kings and Queens counties through the waters of Jamaica bay south of Barren island to Dead Horse inlet, thence along the waters of Dead Horse inlet and Garretson's creek to Garretson's mill pond, to Burnett street, to Avenue R, to Flatbush avenue, to Schenectady avenue, to Grant or Snyder avenue, to East Forty-ninth street, to East Broadway or Church avenue, to Utica avenue, to Pacific street, to Schenectady avenue, to Fulton street, to Rochester avenue, to Atlantic avenue, to the boundary line between the twenty-fifth and twenty-sixth wards, to Broadway, to Stewart street, to the point of beginning.

The sixty-sixth aldermanic district shall consist of that portion of the county of Queens within and bounded by the East river, Bowery bay, old Bowery bay road, Jackson avenue, Rapelye avenue, the canal and Newtown creek.

The sixty-seventh aldermanic district shall consist of that portion of the county of Queens within and bounded by Morris avenue, Calamus road, Long Island railroad, Trotting Cross lane, Metropolitan avenue, boundary line of second and fourth wards, Vanderveer avenue, Jamaica avenue, Shore avenue, Atlantic avenue, Morris avenue, Rockaway road, boundary line of Queens and Nassau counties, Atlantic ocean, Jamaica bay and the boundary of Kings and Queens counties.

The sixty-eighth aldermanic district shall consist of that portion of the county of Queens within and bounded by a line beginning at the canal running into Newtown creek, to Rapelye avenue, to Jackson avenue, to old Bowery bay road, to Bowery bay, to East river, to Boulevard, to Third avenue, to Fourth avenue, to White-stone avenue, or road, to Union street, to Lincoln street, to Main street, to Bradford avenue, to Lawrence street or avenue, to Ireland Mill road, to Flushing creek, to the boundary line of the second and third wards, boundary line of second and fourth wards, to Metropolitan avenue, to Trotting Cross lane, to Long

Island railroad, to Calamus road, to Maurice avenue, to Maspeth avenue, to Newtown creek, to the place of beginning.

The sixty-ninth aldermanic district shall consist of that portion of the county of Queens within and bounded by a line beginning at the East river and Boulevard, to Third avenue, to Fourth avenue, to Whitestone avenue, or road, to Union street, to Lincoln street, to Main street, to Bradford avenue, to Lawrence street or avenue, to Ireland Mill road, to Flushing creek, to boundary line of third and fourth wards, to Rocky Hill road, to boundary line of Nassau and Queens counties, to Little Neck bay, to East river, to the place of beginning.

The seventieth aldermanic district shall consist of that portion of the county of Queens within and bounded by a line beginning at the boundary line of the second and fourth wards, to boundary line between the third and fourth wards and Rocky Hill road, to boundary line between Nassau and Queens counties, Rockaway road, Morris avenue, Atlantic avenue, Shore avenue, Jamaica avenue, Vanderveer avenue, to the boundary line between the second and fourth wards, to the place of beginning.

Staten Island, as designated in section four hundred and twenty-five of this act, being the county of Richmond, is hereby divided into three aldermanic districts as follows: That portion of said Staten Island which was heretofore known as the town of Castleton, being the first ward of the borough of Richmond, shall constitute the seventy-first aldermanic district, and those portions of said Staten Island which were heretofore known as the towns of Middletown and Southfield, being the second and fourth wards of said borough of Richmond, shall together constitute the seventy-second aldermanic districts, and those portions of said Staten Island which were heretofore known as the towns of Northfield and Westfield, being the third and fifth wards of said borough of Richmond, shall together constitute the seventy-third aldermanic district.

By inserting a bracket before the words "Staten Island" on line 15, of page 17, and after the word "district" on line 2, of page 18.

By inserting a bracket before the word "specifying" and after the word "district" on line 11, of page 18.

By striking out the words "the first and third Assembly districts" on line 26, of page 18, all of lines 1, 2 and 3 and all before the words "and shall" the last two words on line 4, of page 19, and substituting the following: "the sixty-sixth, sixty-seventh, and sixty-eighth aldermanic districts of the city of New York as constituted by this act, being part of the county of Queens."

By striking out the words "the aldermanic" on line 6, all of

line 7, 8, 9, 10 and 11 and the words "nineteen hundred and seven", on line 12, of page 19, and substituting the following: "the sixty-ninth and seventieth aldermanic districts of the city of New York, being part of the county of Queens".

By inserting a bracket before the word "third" on line 14 and by striking out the bracket between the words "divided" and "by" on line 15, of page 19.

By striking out the last word "and" on line 19 and all of lines 20 to 25, inclusive, of page 21, all of pages 22 and 23 and lines 1 to 9, inclusive, and the words "York and shall be called Van Courtlandt" on line 10, page 24, and substituting the following:

Forty-second, forty-third and fourth-fourth aldermanic districts of the city of New York as constituted by this act, being part of the county of Kings, and shall be called "The Heights."

The fifth district shall consist of the territory comprised in the forty-fifth, forty-sixth and forty-seventh aldermanic districts of the city of New York and shall be called Bedford.

The sixth district shall consist of the territory comprised in the forty-eighth, forty-ninth and fiftieth aldermanic districts of the city of New York, and shall be called Bay Ridge.

The seventh district shall consist of the territory comprised in the fifty-first, fifty-second and fifty-third aldermanic districts of the city of New York, and shall be called Prospect Heights.

The Eighth district shall consist of the territory comprised in the fifty-fourth, fifty-fifth and fifty-sixth aldermanic districts of the city of New York, and shall be called Williamsburgh.

The ninth district shall consist of the territory comprised in the fifty-seventh, fifty-eighth and fifty-ninth aldermanic districts of the city of New York and shall be called Flatbush.

The Tenth district shall consist of the territory comprised in the sixtieth, sixty-first, and sixty-second aldermanic districts of the city of New York and shall be called Bushwick.

The eleventh district shall consist of the territory comprised in the sixty-third, sixty-fourth and sixty-fifth aldermanic districts of the city of New York, and shall be called New Lots.

The twelfth district shall consist of the territory comprised in the second, fourth and eighth aldermanic districts of the city of New York, and shall be called Corlear's Hook.

The thirteenth district shall consist of the territory comprised in the third, sixth and tenth aldermanic districts of the city of New York and shall be called the Bowery.

The fourteenth district shall consist of the territory comprised in the first, fifth and seventh aldermanic districts of the city of New York and shall be called Greenwich.

The fifteenth district shall consist of the territory comprised in the twelfth, fourteenth and sixteenth aldermanic districts of the city of New York and shall be called Kipp's Bay.

The sixteenth district shall consist of the territory comprised in the ninth, eleventh and fifteenth aldermanic districts and shall be called Hudson.

The seventeenth district shall consist of the territory comprised in the eighteenth, twentieth and twenty-second aldermanic districts of the city of New York and shall be called Yorkville.

The eighteenth district shall consist of the territory comprised in the twenty-sixth, twenty-eighth and thirtieth aldermanic districts of the city of New York and shall be called Murray Hill.

The nineteenth district shall consist of the territory comprised in the fifteenth, seventeenth and nineteenth aldermanic districts of the city of New York and shall be called Riverside.

The twentieth district shall consist of the territory comprised in the twenty-third, twenty-fourth and thirty-third aldermanic districts of the city of New York and shall be called Washington Heights.

The twenty-first district shall consist of the territory comprised in the twenty-ninth, thirty-first and thirty-second aldermanic districts of the city of New York and shall be called Harlem.

The twenty-second district shall consist of the territory comprised in the thirty-fourth aldermanic district of the city of New York and shall be called Morrisania.

The twenty-third district shall consist of the territory comprised in the thirty-seventh and thirty-eighth aldermanic districts of the city of New York and shall be called Chester.

The twenty-fourth district shall consist of the territory comprised in the thirty-seventh and thirty-eighth aldermanic districts of the city of New York and shall be called Crotona.

The twenty-fifth district shall consist of the territory comprised within the thirty-ninth, fortieth and forty-first aldermanic districts of the city of New York and shall be called Van Courtlandt. and requests that said bill be reprinted, as amended, and recommitted to said committee.

Which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. Duell, from the committee on conference, presented the following report:

To the Legislature:

The undersigned, appointed by the Senate and Assembly as a committee of conference relative to the matters of difference aris-

ing between the two Houses upon the Senate bill (No. 1224, Assembly reprint No. 2542, Rec. No. 263) entitled "An act to provide for preserving the waters of the Bronx river from pollution; creating a reservation of the lands on either side of the river; authorizing the taking of lands for that purpose and providing for the payment thereof, and appointing a commission to carry out the purposes of the act" report that they have duly conferred upon said matters, and agreed to recommend as follows:

That the amendments made in the Assembly be agreed to.

GEORGE B. AGNEW,
FRANCIS N. CARPENTER,
JAMES OWENS,

On the part of the Senate.

H. S. DUELL,
JAMES A. FRANCIS,
P. J. SCHMIDT,
ROBERT J. CONKLIN,
HARRY W. HAINES,

On the part of the Assembly.

which report was agreed to.

Mr. West, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend chapter six hundred and eighty-six of the Laws of eighteen hundred and ninety-four, entitled, as amended, 'An act for the preservation of macadamized and other public highways in the counties of Queens and Nassau,' by exempting certain roads from certain of the provisions thereof." (No. 2764, Int. No. 1894.)

"An act to legalize the acts of Jacob J. Lazaroe, a commissioner of deeds." (No. 2740, Int. No. 1880.)

"An act to amend the Forest, Fish and Game Law, in relation to the transportation of the carcasses and vension of domesticated deer." (No. 2410, Int. No. 1716.)

"An act to amend section two hundred and twenty-nine of the Tax Law, in relation to defraying the expenses for office rent, stationery, postage, process serving, et cetera, in the appraisal of estates in New York county." (No. 2682, Int. No. 1858.)

"An act to release to Mary H. Travis, John Bramhall Roebuck, George Roebuck, Herbert Roebuck, Ernest Roebuck, Alfred Roebuck, Walter Roebuck and Arthur Roebuck all the right, title

and interest of the people of the State of New York in and to certain lots of land of Joseph H. Van Mater, junior, deceased, situate in the borough of Queens, in the city of New York." (No. 2733, Int. No. 1018.)

"An act to amend title two of chapter six hundred and thirty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Yonkers,' relative to the office of city judge." (No. 2782, Int. No. 1906.)

"An act to amend chapter seven hundred and sixty of the Laws of eighteen hundred and ninety-seven, entitled 'An act to revise the charter of the city of Watertown.'" (No. 2744, Int. No. 1884.)

"An act to amend the Public Health Law, in relation to pharmacists." (No. 2358, Int. No. 1556.)

"An act to amend the Code of Civil Procedure, in relation to awarding costs to an unsuccessful contestant of a will." (No. 2462, Int. No. 1754.)

"An act to amend the Election Law, in relation to filling of vacancies in elective offices." (No. 2806, Int. No. 1901.)

"An act to amend the Tax Law, in relation to the exemption of bonds of union free school districts." (No. 2235, Int. No. 1644.)

"An act to amend the Agricultural Law, in relation to the employment of persons having infectious or contagious disease, or who have been exposed to any infectious or contagious disease, in any dairy or creamery where milk is produced for sale or manufactured into an article of food, and to prevent the employment of any such person in connection with the distribution of milk or other dairy products." (No. 2761, Int. No. 1891.)

"An act to amend section twelve of the Forest, Fish and Game Law, as amended by section two of chapter five hundred and eighty of the Laws of nineteen hundred and four." (No. 2803, Rec. No. 301.)

"An act to amend section four hundred and one of the Penal Code, relative to certain offenses connected with the dispensing and sale of drugs and medicines." (No. 2804, Rec. No. 278.)

"An act to amend the Greater New York charter, in relation to inferior courts of criminal jurisdiction." (No. 2802, Rec. No. 225.)

"An act to amend the State Finance Law, in relation to the duties of State officers concerning receipts and expenditures." (No. 2757, Rec. No. 260.)

"An act to amend section seven hundred and fifty of the Code of Criminal Procedure of the State of New York, in relation to appeals." (No. 2608, Rec. No. 228.)

"An act to empower the Commissioners of the Land Office to release to Charles W. Dayton all right, title and interest of the people of the State of New York in and to certain real estate in the city, formerly town of Yonkers, county of Westchester, State of New York, acquired by escheat or forfeiture upon the death of Charles Scola and Carlo Scola." (No. 2787, Rec. No. 367.)

A message from the Governor, by the hand of his secretary, was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,
ALBANY, May 29, 1907.

To the Assembly:

I return herewith, without my approval, Assembly bill (No. 2677), entitled "An act to amend the tenement-house act, in relation to buildings of a certain-character."

This bill, despite its more general form, is intended to except a particular building from the operation of the Tenement-house Act. The case is one of peculiar hardship to the present owners of the building. There seems to be no question, however, that those who were directly concerned with its construction proceeded with full knowledge of the provisions of the Tenement-house Act and deliberately planned to disregard them. There is no justification for this measure unless it is proposed to establish the principle that the Tenement-house Act will not be enforced against innocent purchasers.

CHARLES E. HUGHES.

On motion of Mr. Dowling, said bill, together with said message, was ordered laid upon the table.

Mr. Speaker announced the special order, being the Senate bill (No. 1228, Assembly reprint No. 2818) entitled "An act to provide for the continuance of the index systems now employed by the county clerk and the surrogate of Oneida county to cover the entire files of papers in their respective offices and for the removal

of the files and records kept in those offices to the new county building in the city of Utica and to provide for the expenses thereof." (Rec. No. 334.)

On motion of Mr. Hart, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Shuttleworth
Apgar	Dowling	Haines	McCue	Sinclair
Baldwin	Draper	Hamilton	Mead	Smith A E
Baumann	Dudley	Hammond	Merritt	Smith C
Blue	Duell	Harawitz	Miller	Smith Myron
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Surpless
Brown	Feth	Holmes	Nevins	Todd
Buckley	Filley	Hooper	Newton	Volk
Burhyte	Flanagan	Hubbs	Northrup	Wagner
Burns	Foley C F	Hurd	Norton	Wainwright
Burzynski	Foley J A	Huth	O'Brian	Walters
Cavanaugh	Fowler	Jackson	Oliver	Waters
Chamberlain	Francis	Jacobs	Parker	Weber
Cole	Ganly	Keller	Patton	Weimert
Collins	Garbe	Lansing	Phillips	Wells
Colné	Geoghagan	Lee	Prentice	West
Conklin	Glore	Lewis	Ralston	Whitley
Conrady	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman	Marlatt	Sheridan	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the bill (No. 2722) entitled "An act to amend section twenty-one of chapter

three hundred and seventy of the Laws of eighteen hundred and ninety-nine, entitled 'An act in relation to the civil service of the State of New York, and the cities and civil divisions thereof, constituting chapter three of the general laws.' (Int. No. 1459.)

Said bill having been announced for a second reading,

On motion of Mr. Bohan, and by unanimous consent, said bill was made a special order on second and third reading for Tuesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the Senate bill (No. 1563) entitled "An act to amend the Domestic Relations Law, by providing for marriage licenses." (Rec. No. 360.) Said bill having been announced for a second reading,

On motion of Mr. Wood, and by unanimous consent, said bill was made a special order on second and third reading for Tuesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 2823) entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of raising money to construct, maintain, extend, operate, repair and regulate water works." (Int. No. 1930.)

On motion of Mr. Brooks, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Dowling	Haines	Mead	Sinclair
Baldwin	Draper	Hamilton	Merritt	Smith A E
Baumann	Dudley	Harawitz	Miller	Smith C
Blue	Duell	Harper	Mills	Smith Myron
Bohan	Eagleton	Harris	Mooney	Staley
Boshart	Eggleston	Hart	Moreland	Stern
Brady	Eichhorn	Hastings	Murphy C F	Stevenson

Brooks	Farrell	Hoey	Murphy G W	Stratton
Brough	Ferguson	Holmes	Nevins	Surpless
Brown	Feth	Hooper	Newton	Todd
Buckley	Filley	Hubbs	Northrup	Volk
Burhyte	Flanagan	Hurd	Norton	Wagner
Burns	Foley C F	Huth	O'Brian	Wainwright
Burzynski	Foley J A	Jackson	Oliver	Walters
Cavanaugh	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Ganly	Lansing	Phillips	Weimert
Collins	Garbe	Lee	Prentice	Wells
Colné	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Gray	Mance	Schulz	Wood
De Groot	Green	Marlatt	Sheridan	Young
Dobbs	Gunderman	Matthews		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2824) entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of refunding one hundred thousand dollars of water fund bonds due and paid October first, nineteen hundred and three, also for refunding one hundred thousand dollars of water fund bonds due and paid in error in the year eighteen hundred and eighty-one." (Int. No. 1931.)

On motion of Mr. Brooks, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Shuttleworth
Apgar	Dowling	Haines	McCue	Sinclair
Baldwin	Draper	Hamilton	Mead	Smith A E
Baumann	Dudley	Hammond	Merritt	Smith C
Blue	Duell	Harawitz	Miller	Smith Myron

Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Surpless
Brown	Feth	Holmes	Nevins	Todd
Buckley	Filley	Hooper	Newton	Volk
Burhyte	Flanagan	Hubbs	Northrup	Wagner
Burns	Foley C F	Hurd	Norton	Wainwright
Burzynski	Foley J A	Huth	O'Brian	Walters
Cavanaugh	Fowler	Jackson	Oliver	Waters
Chamberlain	Francis	Jacobs	Parker	Weber
Cole	Ganly	Keller	Patton	Weimert
Collins	Garbe	Lansing	Phillips	Wells
Colné	Geoghagan	Lee	Prentice	West
Conklin	Glore	Lewis	Ralston	Whitley
Conrady	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman	Marlatt	Sheridan	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2825) entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of refunding a certain certificate of indebtedness payable July first, nineteen hundred and eight." (Int. No. 1932.)

On motion of Mr. Brooks, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Shuttleworth
Apgar	Dowling	Haines	McCue	Sinclair
Baldwin	Draper	Hamilton	Mead	Smith A E
Baumann	Dudley	Hammond	Merritt	Smith C
Blue	Duell	Harawitz	Miller	Smith Myron
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern

Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Surpless
Brown	Feth	Holmes	Nevins	Todd
Buckley	Filley	Hooper	Newton	Volk
Burhyte	Flanagan	Hubbs	Northrup	Wagner
Burns	Foley C F	Hurd	Nofton	Wainwright
Burzynski	Foley J A	Huth	O'Brian	Walters
Cavanaugh	Fowler	Jackson	Oliver	Waters
Chamberlain	Francis	Jacobs	Parker	Weber
Cole	Ganly	Keller	Patton	Weimert
Collins	Garbe	Lansing	Phillips	Wells
Colné	Geoghagan	Lee	Prentice	West
Conklin	Glore	Lewis	Ralston	Whitley
Conrady	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schulz	Wood
De Groot	Green	Mance	Schoeneck	Young
Dobbs	Gunderman	Marlatt	Sheridan	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2826) entitled "An act to legalize the acts of Edward B. Thompson, performed as commissioner of deeds." (Int. No. 1933.)

On motion of Mr. Ralston, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Shutt'leworth
Apgar	Dowling	Haines	McCue	Sinclair
Baldwin	Draper	Hamilton	Mead	Smith A E
Baumann	Dudley	Hammond	Merritt	Smith C
Blue	Duell	Harawitz	Miller	Smith Myron
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Surpless

Brown	Feth	Holmes	Nevins	Todd
Buckley	Filley	Hooper	Newton	Volk
Burhyte	Flanagan	Hubbs	Northrup	Waddell
Burns	Foley C F	Hurd	Norton	Wagner
Burzynski	Foley J A	Huth	O'Brian	Wainwright
Cavanaugh	Fowler	Jackson	Oliver	Walters
Chamberlain	Francis	Jacobs	Parker	Waters
Cole	Ganly	Keller	Patton	Weber
Collins	Garbe	Lansing	Phillips	Weimert
Colné	Geoghagan	Lee	Prentice	Wells
Conklin	Glore	Lewis	Ralston	West
Conrady	Gluck	Lowe	Reece	Whitley
Croak	Glynn	Lupton	Rogers	Whitney F G
Cunningham	Goldberg	Maher	Schmidt	Whitney G H
Cuvillier	Gray	Mallon	Schoeneck	Winters
De Groot	Green	Mance	Schulz	Wood
Dobbs	Gunderman	Marlatt	Sheridan	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being Senate bill (No. 33) entitled "An act to amend the Penal Code, relative to violations of provisions of the Labor Law." (Rec. No. 259.)

On motion of Mr. Prentice, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Dowling	Haines	Mead	Sinclair
Baldwin	Draper	Hamilton	Merritt	Smith A E
Baumann	Dudley	Harawitz	Miller	Smith C
Blue	Duell	Harper	Mills	Smith Myron
Bohan	Eagleton	Harris	Mooney	Staley
Boshart	Eggleston	Hart	Moreland	Stern
Brady	Eichhorn	Hastings	Murphy C F	Stevenson
Brooks	Farrell	Hoey	Murphy G W	Stratton
Brough	Ferguson	Holmes	Nevins	Surpless
Brown	Feth	Hooper	Newton	Todd
Buckley	Filley	Hubbs	Northrup	Volk
Burhyte	Flanagan	Hurd	Norton	Wagner
Burns	Foley C F	Huth	O'Brian	Wainwright
Burzynski	Foley J A	Jackson	Oliver	Walters

Cavanaugh ¹¹	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Ganly	Lansing	Phillips	Weimert
Collins	Garbe	Lee	Prentice	Wells
Colne	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Gray	Mance	Schulz	Wood
De Groot	Green	Marlatt	Sheridan	Young
Dobbs	Gunderman	Matthews		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 257) entitled "An act to release to Giuseppe Barese all the right, title and interest of the people of the State of New York, in and to certain real estate, situate in the village of Ossining, county of Westchester and State of New York." (Rec. No. 92.)

On motion of Mr. Wainwright, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sinclair
Apgar	Dowling	Haines	Mead	Smith A E
Baldwin	Draper	Hamilton	Merritt	Smith C
Baumann	Dudley	Harawitz	Miller	Smith Myron
Blue	Duell	Harper	Mills	Staley
Bohan	Eagleton	Harris	Mooney	Stern
Boshart	Eggleston	Hart	Moreland	Stevenson
Brady	Eichhorn	Hastings	Murphy C F	Stratton
Brooks	Farrell	Hoey	Murphy G W	Surpluss
Brough	Ferguson	Holmes	Nevins	Todd
Brown	Feth	Hooper	Newton	Volk
Buckley	Filley	Hubbs	Northrup	Waddell
Burhyte	Flanagan	Hurd	Norton	Wagner
Burns	Foley C F	Huth	O'Brian	Wainwright
Burzynski	Foley J A	Jackson	Oliver	Walters
Cavanaugh	Fowler	Jacobs	Parker	Waters

Chamberlain	Francis	Keller	Patton	Weber
Cole	Garly	Lansing	Phillips	Weimert
Collins	Garbe	Lee	Prentice	Wells
Colné	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Gray	Mance	Schulz	Wood
De Groot	Green	Marlatt	Sheridan	Young
Dobbs	Gunderman	Matthews	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1665) entitled "An act to amend chapter three hundred and forty-eight of the Laws of eighteen hundred and eighty-five, entitled 'An act to authorize the appointment of stenographers for grand juries, and to fix the compensation of such stenographers,' relative to the appointment of stenographers to take evidence before grand juries and at coroners' inquests, and examinations and trials of criminal cases." (Rec. No. 413.)

On motion of Mr. Moreland, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Shuttleworth
Apgar	Dowling	Haines	McCue	Sinclair
Baldwin	Draper	Hamilton	Mead	Smith A E
Baumann	Dudley	Hammond	Merritt	Smith C
Blue	Duell	Harawitz	Miller	Smith Myron
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Surplless
Brown	Feth	Holmes	Nevins	Todd

Buckley	Filley	Hooper	Newton	Voll
Burhyte	Flanagan	Hubbs	Northrup	Waddell
Burns	Foley C F	Hurd	Norton	Wagner
Burzynski	Foley J A	Huth	O'Brian	Wainwright
Cavanaugh	Fowler	Jackson	Oliver	Walters
Chamberlain	Francis	Jacobs	Parker	Waters
Cole	Ganly	Keller	Patton	Weber
Collins	Garbe	Lansing	Phillips	Weimert
Colné	Geoghagan	Lee	Prentice	Wells
Conklin	Glore	Lewis	Ralston	West
Conrady	Gluck	Lowe	Reece	Whitley
Croak	Glynn	Lupton	Rogers	Whitney F G
Cunningham	Goldberg	Maher	Schmidt	Whitney G H
Cuvillier	Gray	Mallon	Schoeneck	Winters
De Groot	Green	Mance	Schulz	Wood
Dobbs	Gunderman	Marlatt	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 744) entitled "An act to amend the Penal Code, relating to the sentencing of certain convicts to State prisons." (Rec. No. 366.)

On motion of Mr. Dominy, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Shuttleworth
Apgar	Dowling	Haines	McCue	Sinclair
Baldwin	Draper	Hamilton	Mead	Smith A E
Baumann	Dudley	Hammond	Merritt	Smith C
Blue	Duell	Harawitz	Miller	Smith Myron
Bohar	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Surpless
Brown	Feth	Holmes	Nevins	Todd
Buckley	Filley	Hooper	Newton	Volk
Burhyte	Flanagan	Hubbs	Northrup	Waddell

Burns	Foley C F	Hurd	Norton	Wagner
Burzynski	Foley J A	Huth	O'Brian	Wainwright
Cavanaugh	Fowler	Jackson	Oliver	Walters
Chamberlain	Francis	Jacobs	Parker	Waters
Cole	Ganly	Keller	Patton	Weber
Collins	Garbe	Lansing	Phillips	Weimert
Colné	Geoghagan	Lee	Prentice	Wells
Conklin	Glore	Lewis	Ralston	West
Conrad	Gluck	Lowe	Reece	Whitley
Croak	Glynn	Lupton	Rogers	Whitney F G
Cunningham	Goldberg	Maher	Schmidt	Whitney G H
Cuvillier	Gray	Mallon	Schoeneck	Winters
De Groot	Green	Mance	Schulz	Wood
Dobbs	Gunderman	Marlatt	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1532) entitled "An act to amend section six hundred and eighty-seven-a of the Penal Code, relative to sentencing prisoners." (Rec. No. 420.)

On motion of Mr. Dominy, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Dowling	Haines	Mead	Sinclair
Baldwin	Draper	Hamilton	Merritt	Smith A E
Baumann	Dudley	Harawitz	Miller	Smith C
Blue	Duell	Harper	Mills	Smith Myron
Bohan	Eagleton	Harris	Mooney	Staley
Boshart	Eggleston	Hart	Moreland	Stern
Brady	Eichhorn	Hastings	Murphy C F	Stevenson
Brooks	Farrell	Hoey	Murphy G W	Stratton
Brough	Ferguson	Holmes	Nevins	Surples
Br "	Feth	Hooper	Newton	Todd
Buckley	Filley	Hubbs	Northrup	Volk
Burhyte	Flanagan	Hurd	Norton	Wagner
Burns	Foley C F	Huth	O'Brian	Wainwright
Burzynski	Foley J A	Jackson	Oliver	Walters

Cavanaugh	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Ganly	Lansing	Phillips	Weimert
Collins	Garbe	Lee	Prentice	Wells
Colné	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Gray	Mance	Schulz	Wood
De Groot	Green	Marlatt	Sheridan	Young
Dobbs	Gunderman	Matthews		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1696) entitled "An act to amend chapter seven hundred and forty of the Laws of eighteen hundred and ninety-six, as amended by chapter six hundred and seventy-six of the Laws of nineteen hundred and one, entitled 'An act to amend the charter of the Hebrew Benevolent and Orphan Asylum Society of the city of New York, and to authorize its appointment as general guardian of the person and property of infants under its care and control.'" (Rec. No. 450.)

On motion of Mr. Prentice, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Dowling	Haines	Mead	Sinclair
Baldwin	Draper	Hamilton	Merritt	Smith A E
Baumann	Dudley	Harawitz	Miller	Smith C
Blue	Duell	Harper	Mills	Smith Myron
Bohan	Eagleton	Harris	Mooney	Staley
Boshart	Eggleston	Hart	Moreland	Stern
Brady	Eichhorn	Hastings	Murphy C F	Stevenson
Brooks	Farrell	Hoey	Murphy G W	Stratton

Brough	Ferguson	Holmes	Nevins	Surpless
Brown	Feth	Hooper	Newton	Todd
Buckley	Filley	Hubbs	Northrup	Volk
Burhyte	Flanagan	Hurd	Norton	Wagner
Burns	Foley C F	Huth	O'Brian	Wainwright
Burzynski	Foley J A	Jackson	Oliver	Walters
Cavanaugh	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Ganly	Lansing	Phillips	Weimert
Collins	Garbe	Lee	Prentice	Wells
Colné	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Gray	Mance	Schulz	Wood
De Groot	Green	Marlatt	Sheridan	Young
Dobbs	Gunderman	Matthews		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1480) entitled "An act to permit the city of New York to sell or lease to the Cooper Union for the Advancement of Science and Art the block of ground in said city, bounded by Third avenue, East Sixth street, East Seventh street and Hall place, with the building thereon." (Rec. No. 383.)

On motion of Mr. Mooney, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Shuttleworth
Apgar	Dowling	Haines	McCue	Sinclair
Baldwin	Draper	Hamilton	Mead	Smith A E
Baumann	Dudley	Hammond	Merritt	Smith C
Blue	Duell	Harawitz	Miller	Smith Myron
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern

Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Surpless
Brown	Feth	Holmes	Nevins	Todd
Buckley	Filley	Hooper	Newton	Volk
Burhyte	Flanagan	Hubbs	Northrup	Wagner
Burns	Foley C F	Hurd	Norton	Wainwright
Burzynski	Foley J A	Huth	O'Brian	Walters
Cavanaugh	Fowler	Jackson	Oliver	Waters
Chamberlain	Francis	Jacobs	Parker	Weber
Cole	Ganly	Keller	Patton	Weimert
Collins	Garbe	Lansing	Phillips	Wells
Colné	Geoghagan	Lee	Prentice	West
Conklin	Glore	Lewis	Ralston	Whitley
Conrady	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman	Marlatt	Sheridan	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1333) entitled "An act to provide buildings and other facilities at the New York Agricultural Experiment Station, and making an appropriation therefor." (Rec. No. 321.)

On motion of Mr. Moreland, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Shuttleworth
Apgar	Dowling	Haines	McCue	Sinclair
Baldwin	Draper	Hamilton	Mead	Smith A E
Baumann	Dudley	Hammond	Merritt	Smith C
Blue	Duell	Harawitz	Miller	Smith Myron
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton

Brough	Ferguson	Hoey	Murphy G W	Surpless
Brown	Feth	Holmes	Nevins	Todd
Buckley	Filley	Hooper	Newton	Volk
Burhyte	Flanagan	Hubbs	Northrup	Wagner
Burns	Foley C F	Hurd	Norton	Wainwright
Burzynski	Foley J A	Huth	O'Brian	Walters
Cavanaugh	Fowler	Jackson	Oliver	Waters
Chamberlain	Francis	Jacobs	Parker	Weber
Cole	Ganly	Keller	Patton	Weimert
Collins	Garbe	Lansing	Phillips	Wells
Colne	Geoghagan	Lee	Prentice	West
Conklin	Glore	Lewis	Ralston	Whitley
Conrady	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman	Marlatt	Sheridan	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1653) entitled "An act to legalize bonds of the village of East Syracuse, to be issued for the purpose of enabling the village of East Syracuse to borrow the sum of ten thousand dollars for the purpose of completing the sewer system of the village of East Syracuse, and the purchase of necessary machinery for the operation and maintenance of the sewer system of the village, and to sell twenty bonds of the village of the denomination of five hundred dollars each, aggregating the sum of ten thousand dollars, as provided by the Village Law and the Municipal Corporation Law, and to legalize all steps, proceedings and resolutions of the board of trustees of the village of East Syracuse, in relation to the sale and issue of said bonds, including the proposition submitted to the qualified electors of the village at a general election thereof, held therein, on the nineteenth day of March, nineteen hundred and seven, and all proceedings of said board of trustees, in relation and subsequent thereto, including the advertisement and sale of the bonds, authorized by said proposition, on the twentieth day of April, nineteen hundred and seven, and to provide for the payment of the principal and interest of said bonds." (Rec. No. 457.)

On motion of Mr. Hammond, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Shuttleworth
Apgar	Dowling	Haines	McCue	Sinclair
Baldwin	Draper	Hamilton	Mead	Smith A E
Baumann	Dudley	Hammond	Merritt	Smith C
Blue	Duell	Harawitz	Miller	Smith Myron
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Surpless
Brown	Feth	Holmes	Nevins	Todd
Buckley	Filley	Hooper	Newton	Volk
Burhyte	Flanagan	Hubbs	Northrup	Waddell
Burns	Foley C F	Hurd	Norton	Wagner
Burzynski	Foley J A	Huth	O'Brian	Wainwright
Cavanaugh	Fowler	Jackson	Oliver	Walters
Chamberlain	Francis	Jacobs	Parker	Waters
Cole	Ganly	Keller	Patton	Weber
Collins	Garbe	Lansing	Phillips	Weimert
Colné	Geoghagan	Lee	Prentice	Wells
Conklin	Glore	Lewis	Ralston	West
Conrady	Gluck	Lowe	Reece	Whitley
Croak	Glynn	Lupton	Rogers	Whitney F G
Cunningham	Goldberg	Maher	Schmidt	Whitney G H
Cuvillier	Gray	Mallon	Schoeneck	Winters
De Groot	Green	Mance	Schulz	Wood
Dobbs	Gunderman	Marlatt	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 1368, Assembly reprint No. 2833) entitled "An act to amend chapter three hundred and thirty-four of the Laws of nineteen hundred and one, entitled 'An act in relation to tenement houses in cities of the first class,' as heretofore amended, in relation to measuring the height of tenement houses fronting on a part of Riverside drive, in the city of New York." (Rec. No. 349.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Shuttleworth
Apgar	Dowling	Haines	McCue	Sinclair
Baldwin	Draper	Hamilton	Mead	Smith A E
Baumann	Dudley	Hammond	Merritt	Smith C
Blue	Duell	Harawitz	Miller	Smith Myron
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Surpless
Brown	Feth	Holmes	Nevins	Todd
Buckley	Filley	Hooper	Newton	Volk
Burhyte	Flanagan	Hubbs	Northrup	Wagner
Burns	Foley C F	Hurd	Norton	Wainwright
Burzynski	Foley J A	Huth	O'Brian	Walters
Cavanaugh	Fowler	Jackson	Oliver	Waters
Chamberlain	Francis	Jacobs	Parker	Weber
Cole	Ganly	Keller	Patton	Weimert
Collins	Garbe	Lansing	Phillips	Wells
Colné	Geoghagan	Lee	Prentice	West
Conklin	Glore	Lewis	Ralston	Whitley
Conrady	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman	Marlatt	Sheridan	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the bill (No. 2829) entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' relative to the appointment of a deputy commissioner of public works and the submission of a proposition therefor." (Int. No. 1412.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Shuttleworth
Apgar	Dowling	Haines	McCue	Sinclair
Baldwin	Draper	Hamilton	Mead	Smith A E
Baumann	Dudley	Hammond	Merritt	Smith C
Blue	Duell	Harawitz	Miller	Smith Myron
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Surpless
Brown	Feth	Holmes	Nevins	Todd
Buckley	Filley	Hooper	Newton	Volk
Burhyte	Flanagan	Hubbs	Northrup	Wagner
Burns	Foley C F	Hurd	Norton	Wainwright
Burzynski	Foley J A	Huth	O'Brian	Walters
Cavanaugh	Fowler	Jackson	Oliver	Waters
Chamberlain	Francis	Jacobs	Parker	Weber
Cole	Ganly	Keller	Patton	Weimert
Collins	Garbe	Lansing	Phillips	Wells
Colné	Geoghagan	Lee	Prentice	West
Conklin	Glore	Lewis	Ralston	Whitley
Conrad	Gluck	Lowe	Reece	Whitney F G
Crook	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman	Marlatt	Sheridan	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the bill (No. 2828) entitled "An act in relation to claims against the village of Ellenville for damages for personal injury or injury to property." (Int. No. 855.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Shuttleworth
Apgar	Dowling	Haines	McCue	Sinclair
Baldwin	Draper	Hamilton	Mead	Smith A E
Baumann	Dudley	Hammond	Merritt	Smith C
Blue	Duell	Harawitz	Miller	Smith Myron
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Surpless
Brown	Feth	Holmes	Nevins	Todd
Buckley	Filley	Hooper	Newton	Volk
Burhyte	Flanagan	Hubbs	Northrup	Waddell
Burns	Foley C F	Hurd	Norton	Wagner
Burzynski	Foley J A	Huth	O'Brian	Wainwright
Cavanaugh	Fowler	Jackson	Oliver	Walters
Chamberlain	Francis	Jacobs	Parker	Waters
Cole	Ganly	Keller	Patton	Weber
Collins	Garbe	Lansing	Phillips	Weimert
Colné	Geoghagan	Lee	Prentice	Wells
Conklin	Glore	Lewis	Ralston	West
Conrady	Gluck	Lowe	Reece	Whitley
Croak	Glynn	Lupton	Rogers	Whitney F G
Cunningham	Goldberg	Maher	Schmidt	Whitney G H
Cuvillier	Gray	Mallon	Schoeneck	Winters
De Groot	Green	Mance	Schulz	Wood
Dobbs	Gunderman	Marlatt	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

A message was received from the Senate, in the words following:

IN SENATE, *May 23, 1907.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 1053, reprint No. 1697, Rec. No. 202) entitled "An act supplementary to chapter one hundred and seven of the Laws of eighteen hundred and twenty-one, entitled 'An act declaring a part of the Black river a public highway, and for other purposes,' passed March sixteen, eighteen hundred and twenty-one."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Cobb, and by unanimous consent, the same was amended as follows:

On page 1, line 4, strike out words "all" after word "at" and insert word "such".

On page 1, line 4, after word "times" insert word "and".

On page 1, line 5, after words "as" strike out word "are" and insert words "may be".

Said bill, as amended, was reprinted, re-engrossed, and, having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

LAFAYETTE B. GLEASON,

Clerk.

Said bill having been announced, Mr. Wood moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Shuttleworth
Apgar	Dowling	Haines	McCue	Sinclair
Baldwin	Draper	Hamilton	Mead	Smith A E
Baumann	Dudley	Harawitz	Merritt	Smith C
Blue	Duell	Harper	Miller	Smith Myron
Bohan	Eagleton	Harris	Mills	Staley
Boshart	Eggleston	Hart	Mooney	Stern
Brady	Eichhorn	Hastings	Moreland	Stevenson
Brooks	Farrell	Hoey	Murphy C F	Stratton
Brough	Ferguson	Holmes	Nevins	Surpless
Brown	Feth	Hooper	Newton	Todd
Buckley	Filley	Hubbs	Northrup	Volk
Burhyte	Flanagan	Hurd	Norton	Wagner
Burns	Foley C F	Huth	O'Brian	Wainwright
Burzynski	Foley J A	Jackson	Oliver	Walters
Cavanaugh	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Ganly	Lansing	Phillips	Weimert
Collins	Garbe	Lee	Prentice	Wells
Colné	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Lowe	Reece	Whitley

Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Gray	Mance	Schulz	Wood
De Groot	Green	Marlatt	Sheridan	Young
Dobbs	Gunderman			

Said bill, as amended, was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Shuttleworth
Apgar	Dowling	Haines	McCue	Sinclair
Baldwin	Draper	Hamilton	Mead	Smith A E
Baumann	Dudley	Harawitz	Merritt	Smith C
Blue	Duell	Harper	Miller	Smith Myron
Bohan	Eagleton	Harris	Mills	Staley
Boshart	Eggleston	Hart	Mooney	Stern
Brady	Eichhorn	Hastings	Moreland	Stevenson
Brooks	Farrell	Hoey	Murphy C F	Stratton
Brough	Ferguson	Holmes	Nevins	Surpless
Brown	Feth	Hooper	Newton	Todd
Buckley	Filley	Hubbs	Northrup	Volk
Burhyte	Flanagan	Hurd	Norton	Wagner
Burns	Foley C F	Huth	O'Brian	Wainwright
Burzynski	Foley J A	Jackson	Oliver	Walters
Cavanaugh	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Ganly	Lansing	Phillips	Weimert
Collins	Garbe	Lee	Prentice	Wells
Colné	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Gray	Mance	Schulz	Wood
De Groot	Green	Marlatt	Sheridan	Young
Dobbs	Gunderman			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, May 28, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 550, Senate reprint No. 1488, Int. No. 346) entitled "An act to amend the public health law, in relation to retailing of poisons."

CHARLES E. HUGHES.

Said bill having been announced, Mr. G. H. Whitney moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Dowling	Haines	Mead	Sinclair
Baldwin	Draper	Hamilton	Merritt	Smith A E
Baumann	Dudley	Harawitz	Miller	Smith C
Blue	Duell	Harper	Mills	Smith Myron
Bohan	Eagleton	Harris	Mooney	Staley
Boshart	Eggleston	Hart	Moreland	Stern
Brady	Eichhorn	Hastings	Murphy C F	Stevenson
Brooks	Farrell	Hoey	Murphy G W	Stratton
Brough	Ferguson	Holmes	Nevis	Surpless
Brown	Feth	Hooper	Newton	Todd
Buckley	Filley	Hubbs	Northrup	Volk
Burhyte	Flanagan	Hurd	Norton	Wagner
Burns	Foley C F	Huth	O'Brian	Wainwright
Burzynski	Foley J A	Jackson	Oliver	Walters
Cavanaugh	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Ganly	Lansing	Phillips	Weimert
Collins	Garbe	Lee	Prentice	Wells
Colné	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Gray	Mance	Schulz	Wood
De Groot	Green	Marlatt	Sheridan	Young
Dobbs	Gunderman	Matthews		

Mr. G. H. Whitney moved that said bill be recommitted to the committee on public health, with instructions to report the same forthwith amended as follows:

Page 4, line 21, strike out the word " and " and insert a comma.

Page 4, line 22, after the word " one " strike out the comma and insert " and by chapter two hundred and twenty-four of the laws of nineteen hundred and seven ".

Page 5, line 15, bracket the word " and " and in the same line after the word " sulphur " insert " cod liver oil, vaseline, petroleum jellies, oil of organum, oil of spike, magnesia, flaxseed, rock candy, butter color, malt extract, extract of beef, beef, iron and wine, extract of witch hazel, quinine, quinine pills, cathartic pills, seidlitz powders, senna, herbs in packages, bay rum, perfumes, toilet water, tumeric, talcum powder, composition, porous plasters, court plasters, copperas, alum, gum arabic, lithia water, and when sold in original packages, bearing the name of a licensed pharmacist, spirits of camphor, spirits of nitre, tincture of arnica ".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. G. H. Whitney, from the committee on public health, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, May 29, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1709, Int. No. 1351) entitled "An act to amend chapter two hundred and seventy-five of the laws of eighteen hundred and ninety-nine, entitled 'An act to revise the charter of the city of Gloversville,' giving the common council authority to make an annual appropriation to the Nathan Littauer Hospital Association".

CHARLES E. HUGHES.

Said bill having been approved, Mr. Mills moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill,

and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Shuttleworth
Apgar	Dowling	Haines	McCue	Sinclair
Baldwin	Draper	Hamilton	Mead	Smith A E
Baumann	Dudley	Harawitz	Merritt	Smith C
Blue	Duell	Harper	Miller	Smith Myron
Bohan	Eagleton	Harris	Mills	Staley
Boshart	Eggleston	Hart	Mooney	Stern
Brady	Eichhorn	Hastings	Moreland	Stevenson
Brooks	Farrell	Hoey	Murphy C F	Stratton
Brough	Ferguson	Holmes	Nevins	Surpless
Brown	Feth	Hooper	Newton	Todd
Buckley	Filley	Hubbs	Huthrup	Volk
Burhyte	Flanagan	Hurd	Norton	Wagner
Burns	Foley C F	Huth	O'Brian	Wainwright
Burzynski	Foley J A	Jackson	Oliver	Walters
Cavanaugh	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Ganly	Lansing	Phillips	Weimert
Collins	Garbe	Lee	Prentice	Wells
Colné	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Gray	Mance	Schulz	Wood
De Groot	Green	Marlatt	Sheridan	Young
Dobbs	Gunderman			

Mr. Mills moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

On page 2, line 7, after "Gloversville" insert "and shall be received and retained therein pursuant to rules established by the state board of charities."

On page 2, line 7, strike out "." after "Gloversville".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Dowling, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A message was received from the Senate, in the words following:

IN SENATE, *May 29, 1907.*

The Senate bill (No. 1274, Rec. No. 275) entitled "An act to amend chapter three hundred of the laws of nineteen hundred and four, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls,'" was returned by the mayor of the city of Niagara Falls, with a certificate that a public hearing has been duly held on said bill in pursuance of law, and that the mayor and local legislative body have duly accepted the same.

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Franchot, and by unanimous consent, the same was amended as follows:

Page 4, strike out all of line 17 after the word "year" and all of line 18.

Page 4, strike out all of lines 21 and 22.

Page 5, strike out all of lines 1 and 2.

Page 5, strike out all of line 5 after the word "year" and all of line 6, and insert the following:

"2a. The common council shall have the power to fix and change the salaries of all officers of the city, including such as are fixed by this act, except such as are otherwise provided by law, and except as provided in subdivisions one and two of section fifteen of this act, but every such salary shall be fixed by resolution at least four months before the beginning of the term of office to which it belongs, and shall not be increased or diminished during the continuance of such term of office. Every resolution fixing or changing a salary shall be published, after its introduction and before being finally acted upon, in one or more newspapers in the city once a week for four successive weeks. The common council shall not have the power to provide for any salary or compensation whatsoever for any officer who by the provisions of this act is required to serve without pay."

Page 19, line 4, strike out the parentheses and insert brackets in their places.

Page 27, line 8, strike out the parentheses and insert in their places brackets.

Page 41, line 17, strike out the parenthesis and insert a bracket.

Page 41, line 18, strike out the parenthesis and insert a bracket.

Page 44, lines 21 and 25, strike out the brackets.

Said bill, as amended, was reprinted, re-engrossed, and, having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

LAFAYETTE B. GLEASON,
Clerk.

Said bill having been announced, Mr. Decker moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sinclair
Apgar	Dowling	Haines	Mead	Smith A E
Baldwin	Draper	Hamilton	Merritt	Smith C
Baumann	Dudley	Harawitz	Miller	Smith Myron
Blue	Duell	Harper	Mills	Staley
Bohan	Eagleton	Harris	Mooney	Stern
Boshart	Eggleston	Hart	Moreland	Stevenson
Brady	Eichhorn	Hastings	Murphy C F	Stratton
Brooks	Farrell	Hoey	Murphy G W	Surpluss
Brough	Ferguson	Holmes	Nevins	Todd
Brown	Feth	Hooper	Newton	Volk
Buckley	Filley	Hubbs	Northrup	Waddell
Burhyte	Flanagan	Hurd	Norton	Wagner
Burns	Foley C F	Huth	O'Brian	Wainwright
Burzynski	Foley J A	Jackson	Oliver	Walters
Cavanaugh	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Ganly	Lansing	Phillips	Weimert
Collins	Garbe	Lee	Prentice	Wells
Colné	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Gray	Mance	Schulz	Wood
De Groot	Green	Marlatt	Sheridan	Young
Dobbs	Gunderman	Matthews	Shuttleworth	

Said bill, as amended, was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sinclair
Apgar	Dowling	Haines	Mead	Smith A E
Baldwin	Draper	Hamilton	Merritt	Smith C
Baumann	Dudley	Harawitz	Miller	Smith Myron
Blue	Duell	Harper	Mills	Staley
Bohan	Eagleton	Harris	Mooney	Stern
Boshart	Eggleston	Hart	Moreland	Stevenson
Brady	Eichhorn	Hastings	Murphy C F	Stratton
Brooks	Farrell	Hoey	Murphy G W	Surpless
Brough	Ferguson	Holmes	Nevins	Todd
Brown	Feth	Hooper	Newton	Volk
Buckley	Filley	Hubbs	Northrup	Waddell
Burhyte	Flanagan	Hurd	Norton	Wagner
Burns	Foley C F	Huth	O'Brian	Wainwright
Burzynski	Foley J A	Jackson	Oliver	Walters
Cavanaugh	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Ganly	Lansing	Phillips	Weimert
Collins	Garbe	Lee	Prentice	Wells
Colné	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Lowe	Reece	Whitley
Courady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Gray	Mance	Schulz	Wood
De Groot	Green	Marlatt	Sheridan	Young
Dobbs	Gunderman	Matthews	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same.

The Senate returned the Assembly bill (No. 1906, Senate reprint No. 1774, Int. No. 680) entitled "An act to amend the Penal Code, relative to limiting the amount to be expended by candidates for public office," with a message that they have concurred in the passage of the same, with the following amendment:

On page 2, line 3, after "his" insert "nomination and".

Mr. Phillips moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the

desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Mead	Sinclair
Appar	Dowling	Haines	Merritt	Smith A E
Baldwin	Draper	Hamilton	Miller	Smith C
Baumann	Dudley	Harawitz	Mills	Smith Myron
Blue	Duell	Harper	Mooney	Staley
Bohan	Eagleton	Harris	Moreland	Stern
Boshart	Eggleston	Hart	Murphy C F	Stevenson
Brady	Eichhorn	Hastings	Murphy G W	Stratton
Brooks	Farrell	Hoey	Nevins	Surpless
Brough	Ferguson	Holmes	Newton	Todd
Brown	Feth	Hooper	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Waddell
Burhyte	Flanagan	Hurd	O'Brian	Wagner
Burns	Foley C F	Huth	Oliver	Wainwright
Burzynski	Foley J A	Jackson	Parker	Walters
Cavanaugh	Fowler	Jacobs	Patton	Waters
Chamberlain	Francis	Keller	Phillips	Weber
Cole	Ganly	Lansing	Prentice	Weimert
Collins	Garbe	Lee	Ralston	Wells
Colné	Geoghagan	Lewis	Reece	West
Conklin	Glore	Lowe	Rogers	Whitley
Conrady	Gluck	Lupton	Schmidt	Whitney F G
Croak	Glynn	Maher	Schoeneck	Whitney G H
Cunningham	Goldberg	Mallon	Schulz	Winters
Cuvillier	Gray	Mance	Sheridan	Wood
De Groot	Green	Marlatt	Shuttleworth	Young
Dobbs	Gunderman	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the Assembly bill (No. 740, Senate re-print No. 1615, Int. No. 683) entitled "An act to authorize the Comptroller of the State to hear and determine the application of Everitt R. Walker for the cancellation of tax sales made in the years eighteen hundred and eighty-one and eighteen hundred and eighty-five of lot fifty-three, Mayfield patent, in Fulton county," with a message that they have concurred in the passage of the same, with the following amendment:

Strike out all of said bill and insert the following:

AN ACT to authorize the comptroller of the state to hear and determine the application of Everett R. Walker for the cancellation of tax sales made in the years eighteen hundred and eighty-one and eighteen hundred and eighty-five of lot fifty-three, Mayfield patent in Fulton county.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Jurisdiction is hereby conferred upon the comptroller of the State of New York to hear and determine the application of Everett R. Walker for cancellation of the tax sales made by said comptroller in the years eighteen hundred and eighty-one and eighteen hundred and eighty-five of lot fifty-three, Mayfield patent, Fulton county, and the comptroller is hereby authorized to act upon said application in the same manner and with the same effect as if the application were made by the purchaser at the tax sale within the time prescribed by law. Said application must be filed with the comptroller within one year from the passage of this act and shall be heard and granted only upon the grounds specified in section one hundred and thirty-two of the tax law and subject to the payment of such of the taxes levied against the land as shall not have been proved invalid or to have been paid in due time to the proper authorities.

§ 2. Prior to the hearing of said application and at least fourteen days before the date thereof, the applicant, shall cause notice of such hearing to be served upon the attorney-general and upon the forest, fish and game commissioner.

§ 3. This act shall take effect immediately.

Mr. Mills moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Dowling	Haines	Mead	Sinclair
Baldwin	Draper	Hamilton	Merritt	Smith A E
Baumann	Dudley	Harawitz	Miller	Smith C

Blue	Duell	Harper	Mills	Smith Myron
Bohan	Eagleton	Harris	Mooney	Staley
Boshart	Eggleston	Hart	Moreland	Stern
Brady	Eichhorn	Hastings	Murphy C F	Stevenson
Brooks	Farrell	Hoey	Murphy G W	Stratton
Brough	Ferguson	Holmes	Nevins	Surpless
Brown	Feth	Hooper	Newton	Todd
Buckley	Filley	Hubbs	Northrup	Volk
Burhyte	Flanagan	Hurd	Norton	Wagner
Burns	Foley C F	Huth	O'Brian	Wainwright
Burzynski	Foley J A	Jackson	Oliver	Walters
Cavanaugh	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Ganly	Lansing	Phillips	Weimert
Collins	Garbe	Lee	Prentice	Wells
Colné	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Gray	Mance	Schulz	Wood
De Groot	Green	Marlatt	Sheridan	Young
Doobs	Gunderman	Matthews		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the Assembly bill (No. 310, Senate reprint No. 1383, Int. No. 309) entitled "An act to provide for a connecting railroad in the borough of Manhattan between the Brooklyn bridge and the Williamsburgh bridge, in the city of New York," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 8, strike out the word "five" and insert in place thereof the word "three".

On page 2, line 19, strike out the word "eight" and insert in place thereof the word "nine".

On page 2, line 22, after the word "tracks" insert in place thereof the words "or four tracks".

On page 3, line 3, after the word "Brooklyn" strike out the "." and insert in place thereof a ";" and after said semicolon the following: "or for an elevated railroad having two or four tracks with such stations, turnouts, switches and other appurtenances as it shall determine upon, connecting with the Manhattan terminal of the old Brooklyn bridge and with the tracks known as elevated tracks thereon and proceeding through and over the site of the extension of the present terminal, provision for which has already been made by the board of estimate and apportionment and over private property hereinafter to be acquired and thence on the westerly side of Baxter street to and beyond Heester street

and across Baxter street and through private property to the intersection of Mulberry street with Delancey street extension now being acquired by the city and through and over Delancey street to the elevated track level of the Williamsburgh bridge with a spur connection at and through Canal street, passing above the present elevated railroad in the Bowery to the upper level of the proposed Manhattan bridge railroad tracks. The commission hereinafter provided for shall submit plans for the two routes hereinbefore described to a commission to be composed of the chief engineer of the rapid transit commission of the city of New York, or its successors. The chief engineer of the board of estimate and apportionment, the chief engineer of the department of finance or in his place an engineer of that department to be designated by the comptroller of the city of New York, and the chief engineer of the office of the president of the borough of Manhattan or in his place an engineer to be designated by the president of the borough of Manhattan, which committee of engineers shall determine as to which of the two routes suggested shall be the more advantageous to the city of New York, and shall promptly report its determination thereupon to a bridge loop commission herein provided for. Upon receipt of said report, the said bridge loop commission shall prepare a form of contract or forms of contracts which shall be forthwith submitted to the board of estimate and apportionment of the city of New York. The said board of estimate and apportionment within thirty days after receipt of said report shall approve said form of contract or forms of contracts either as submitted or as amended by said board of estimate and apportionment. Said form of contract or forms of contracts shall provide for the operation of the elevated railroad herein provided for by any railroad company operating an elevated railroad in any part of the city of New York, and said contract for operation shall be for a period not exceeding ten years in duration. Upon said approval of said contract form or contract forms by the board of estimate and apportionment the bridge loop commission herein provided for shall enter into a contract in accordance with said approved form with a railroad company operating an elevated railroad in the borough of Brooklyn and upon the Brooklyn bridge and the Williamsburg bridge. Said form of contract shall contain the provision, binding the operating company to construct at its own cost and expense the elevated structure, tracks, turnouts, switches and all appurtenances. Immediately upon the approval of a contract form or contract forms as hereinbefore provided, the board of estimate and apportionment shall authorize the corporation counsel to apply to the supreme court for commissioners of estimate and assessment in proceedings to acquire such private

property as may be necessary for the purposes of the execution of this act in the manner provided by law."

On page 4, line 3, after the word "event" insert the following: "said loop commission shall prepare and enter into a contract for the construction of the elevated railroad in the borough of Manhattan hereinbefore provided for, and upon the completion of said elevated railroad".

Mr. Dowling moved to concur in the Senate amendments.

Objection being made to the immediate consideration of said message,

Ordered, That said bill be referred to the committee on rules.

By unanimous consent, Mr. C. F. Murphy offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on rules be discharged from the further consideration of the bill (No. 2834, Int. No. 1850) entitled "An act to amend chapter nine hundred and nine of the laws of eighteen hundred and ninety-six, entitled 'An act in relation to the elections, constituting chapter six of the general laws,' generally."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, Mr. C. F. Murphy moved to amend as follows:

Page 14, line 22, change word "eleven" to word "eight" in italics.

Page 4, line 10, insert a period after the word "officers".

Page 18, line 22, change bracket to its proper place before the comma and insert a period after the word "premises".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and recommitted to the committee on rules.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, April 19, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1558, Int.

No. 1265) entitled "An act to amend chapter three hundred and ninety-four of the laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' in relation to the liability of the city."

CHARLES E. HUGHES.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, May 27, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1263, Senate reprint No. 1567, Int. No. 661) entitled "An act in relation to gas and electricity in the city of Syracuse."

CHARLES E. HUGHES.

Mr. F. G. Whitney offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 1558, Int. No. 1265) entitled "An act to amend chapter three hundred and ninety-four of the laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' in relation to the liability of the city," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Haines offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1697, Senate reprint No. 1381, Int. No. 1061) entitled "An act to amend chapter five hundred and ninety-six of the laws of eighteen hundred and ninety-eight, entitled 'An act to amend chapter one hundred and sixty-three of the laws of eighteen hundred and seventy-three, entitled "An act to organize and establish a police department for the city of Yonkers," generally," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Hammond offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 1263, Senate reprint No. 1567, Int. No. 661) entitled "An act in relation to gas and electricity in the city of Syracuse," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Mills offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1709, Int. No. 1351) entitled "An act to amend chapter two hundred and seventy-five of the laws of eighteen hundred and ninety-nine, entitled 'An act to revise the charter of the city of Gloversville,' giving the common council authority to make an annual appropriation to the Nathan Littauer Hospital Association," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the Assembly bill (No. 1673, Senate reprint No. 1436, Int. No. 1343) entitled "An act to amend the Penal Code, in relation to restricting the powers of peace officers in respect to photographs of prisoners."

Also, Assembly bill (No. 62, Senate reprint No. 1591, Int. No. 62) entitled "An act to amend the Penal Code, relative to punishment for murder in the second degree."

Also, Assembly bill (No. 1317, Senate reprint No. 1621, Int. No. 1112) entitled "An act for the promotion of agriculture and making an appropriation therefor."

Also, Assembly bill (No. 1046, Senate reprint No. 1673, Int. No. 732) entitled "An act to amend the Code of Criminal Pro-

cedure, relative to the number of peremptory challenges in certain criminal cases."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 1998, Int. No. 1260) entitled "An act to amend the Penal Code, in relation to the sale of transportation tickets."

Also, the bill (No. 2524, Int. No. 908) entitled "An act to amend the Forest, Fish and Game Law, in relation to issuing licenses for nets."

With a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 1568, Senate reprint No. 1459, Assembly reprint No. 2792, Int. No. 997) entitled "An act to amend the County Law, in relation to killing or injuring of horses, cattle or swine by dogs," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the Senate bill (No. 1007, Assembly reprint No. 2783, Rec. No. 315) entitled "An act to amend the Forest, Fish and Game Law, relative to the close season for plover and other birds," with a message that they have concurred in the amendments of the Assembly made thereto.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 1558, Int. No. 1265) entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' in relation to the liability of the city," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 1263, Senate reprint No. 1567, Int. No. 661) entitled "An act in relation to gas and electricity in the city of Syracuse," with a message that they have concurred in the passage of the same.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1697, Senate reprint No. 1381, Int. No. 1061) entitled "An act to amend chapter five hundred and ninety-six of the Laws of eighteen hundred and ninety-eight, entitled 'An act to amend chapter one hundred and sixty-three of the Laws of eighteen hundred and seventy-three, entitled "An act to organize and establish a police department for the city of Yonkers," 'generally," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1709, Int. No. 1351) entitled "An act to amend chapter two hundred and seventy-five of the Laws of eighteen hundred and ninety-nine, entitled 'An act to revise the charter of the city of Gloversville,' giving the common council authority to make an annual appropriation to the Nathan Littauer Hospital Association," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication was received from Hon. George B. McClellan, mayor of the city of New York, returning Assembly bill (No. 2473, Int. No. 1526) entitled "An act to authorize the city of New York to acquire lands on Prospect Heights, in the borough of Brooklyn, as sites for public buildings, and to provide for the establishment and maintenance of public educational institutions," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. George B. McClellan, mayor of the city of New York, returning Assembly bill (No. 2483, Int. No. 1764) entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain taxes, assessments and water rates now existing liens against and affecting property situated in the borough of

Brooklyn, city of New York, belonging to Saint Malachy's Roman Catholic Church," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Arthur C. Douglass, mayor of the city of Niagara Falls, returning Assembly bill (No. 2730, Int. No. 1580) entitled "An act to amend chapter three hundred of the Laws of nineteen hundred and four, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls,' in relation to the establishment of an industrial commission for said city," with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. John H. Richardson, mayor of the city of Oneida, returning Assembly bill (No. 2747, Int. No. 1887) entitled "An act to amend chapter two hundred and twenty-five of the Laws of nineteen hundred and one, entitled 'An act to incorporate the city of Oneida,' in relation to bonds for local improvements," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. John K. Smith, mayor of the city of Oswego, returning Assembly bill (No. 2699, Int. No. 1444) entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' in relation to salaries of clerk, police officers, policemen and janitors," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Moreland, the House adjourned.

THURSDAY, MAY 30, 1907.

The House met pursuant to adjournment.

Mr. Mead in the chair.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. Moreland, the reading of the journal of yesterday was dispensed with, and the same was approved.

The Senate sent for concurrence the following entitled bills:

"An act to amend chapter one hundred and fifteen of the Laws of eighteen hundred and ninety-eight, entitled 'An act to provide for the improvement of the public highways,' generally" (No. 1737, Rec. No. 465), which was read the first time and referred to the committee on internal affairs.

"An act authorizing the boards of city magistrates of the city of New York to appoint bond clerk" (No. 1775, Rec. No. 466), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter four hundred and seventy-three of the Laws of nineteen hundred and six, entitled 'An act to provide for the government of cities of the second class,' relative to appeals from the commissioner of public safety" (No. 1773, Rec. No. 467), which was read the first time and referred to the committee on affairs of cities.

"An act to legalize the bonds of union free school district number ten of the town of Greenburgh, Westchester county, New York, in the amount of fifteen thousand dollars, sold for the purpose of defraying the expense of building an addition to the school building in said district and for furnishing and heating the same, and to provide for the payment of said bonds" (No. 1706, Rec. No. 468), which was read the first time and referred to the committee on internal affairs.

"An act to amend chapter eighty-five of the Laws of eighteen hundred and eighty-five, entitled 'An act to grant the use of certain State lands for the purposes of the Adirondack Fish Hatchery'" (No. 1707, Rec. No. 469), which was read the first time and referred to the committee on ways and means.

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the Albany Towing Company against the State of New York, for damages alleged to have been sustained by such company, and to render judgment therefor" (No. 1717, Rec. No. 470), which was read the first time and referred to the committee on claims.

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Emma B. Park against the State for damages alleged to have been sustained by her, and to render judgment therefor" (No. 1716, Rec. No. 471), which was read the first time and referred to the committee on claims.

"An act to provide for the settlement of certain claims arising from the construction of a State lock on Saranac river and making an appropriation therefor" (No. 1714, Rec. No. 472), which was read the first time and referred to the committee on claims.

"An act to provide for the repair of the bridge known as the 'Montezuma turnpike bridge,' over the Seneca river, in the county of Seneca" (No. 1722, Rec. No. 473), which was read the first time and referred to the committee on ways and means.

"An act to amend title two of chapter six hundred and thirty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Yonkers,' by adding a new section, to be designated as section six-a of title two, relative to the office of city judge" (No. 1796, Rec. No. 474), which was read the first time and referred to the committee on affairs of cities.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, May 27, 1907.

To the Assembly:

Pursuant to a concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 2598, Int. No. 1818) entitled "An act authorizing the Marcellus and Otisco Lake Railway Company and the Newark and Marion Railway Company to use locomotive steam power as a motive power."

CHARLES E. HUGHES.

Said bill having been announced, Mr. Baldwin moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 102

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Haines	Marlatt	Schulz
Averill	Dudley	Hamilton	Mead	Sheridan
Baldwin	Duell	Hammond	Merritt	Shuttleworth
Baumann	Eggleston	Hamn	Mills	Sinclair
Blue	Eichhorn	Harris	Moreland	Smith C
Boshart	Farrell	Hart	Morgan	Smith Myron
Brady	Ferguson	Hoey	Murphy C F	Staley
Brown	Feth	Holmes	Murphy G W	Stratton
Buckley	Filley	Hooper	Nevins	Surpless
Burhyte	Foley C F	Hubbs	Norton	Volk
Burns	Fowler	Hurd	O'Brian	Voss
Cavanaugh	Francis	Jacobs	Parker	Waddell
Chamberlain	Frisbie	Keller	Patton	Wagner
Cole	Ganly	Lansing	Phillips	Waters
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Glore	Lowe	Ralston	West
Conrady	Gluck	Lupton	Reece	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
De Groot	Gray	Mallon	Schmidt	Winters
Dominy	Green	Mance	Schoeneck	Yale
Dowling	Gunderman			

Mr. Baldwin moved that said bill be recommitted to the committee on railroads, with instructions to report the same forthwith amended by substituting therefor the following substitute bill:

(See Appendix No. 43.)

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Merritt, from the committee on railroads, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, May 29, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1697, Senate reprint No. 1381, Int. No. 1061) entitled "An act to amend chapter five hundred and ninety-six of the laws of eighteen hundred and ninety-eight, entitled 'An act to amend chapter one hundred and sixty-three of the laws of eighteen hundred and seventy-three, entitled "An act to organize and establish a police department for the city of Yonkers," generally."

CHARLES E. HUGHES.

Said bill having been announced, Mr. Haines moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 104

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hamilton	Mead	Sheridan
Averill	Dudley	Hammond	Merritt	Shuttleworth
Baldwin	Duell	Hamn	Mills	Sinclair
Baumann	Eggleston	Harper	Moreland	Smith C
Blue	Eichhorn	Harris	Morgan	Smith Myron
Boshart	Farrell	Hart	Murphy C F	Staley
Brady	Ferguson	Hoey	Murphy G W	Stratton
Brown	Feth	Holmes	Nevins	Surpless
Buckley	Filley	Hooper	Norton	Volk
Burhyte	Fowler	Hubbs	O'Brian	Voss
Burns	Francis	Hurd	Oliver	Waddell
Cavanaugh	Frisbie	Jacobs	Parker	Wagner
Chamberlain	Ganly	Keller	Patton	Walters
Cole	Garbe	Lansing	Phillips	Waters
Colné	Glore	Lewis	Prince	Weimert
Conklin	Gluck	Lowe	Ralston	West
Conrad	Glynn	Lupton	Reece	Whitley
Cunningham	Goldberg	Maher	Rogers	Whitney F G
De Groot	Gray	Mallon	Schmidt	Winters
Dominy	Green	Mance	Schoeneck	Yale
Dowling	Haines	Marlatt	Schulz	

Mr. Haines moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 2, line 6, after the word "police" insert and italicize the words "and clerk, and such number of sergeants of police, roundsmen, surgeons, electricians, linemen, patrolmen, doormen, hostlers, and police matrons as the board of police commissioners may, from time to time, fix and appoint, subject to confirmation by common council; and the various duties of the officers and persons so appointed shall be prescribed by said board. The salaries of all such officers and persons shall be fixed, from time to time, by the board of police commissioners, subject to confirmation by the common council."

Page 2, line 6, insert a bracket [before the word "whose".

Page 2, line 7, strike out the brackets before and after the word "five" and strike out the word "six".

Page 2, line 9, strike out the word "eight" and strike out the brackets before and after the word "four".

Page 2, line 14, strike out the brackets before and after the word "twelve" and strike out the word "fifteen".

Page 2, line 15, strike out the words "seventy-nine" and strike out the brackets before and after the words "forty-five".

Page 2, line 25, strike out the words "two doormen" and strike out both of the brackets in such line and strike out the words "a salary of".

Page 2, line 26, strike out the words from "not" to "dollars" inclusive, and strike out both brackets in such line.

Page 3, line 1, strike out the word "three" and strike out the brackets before and after the word "one" and strike out all the italicized matter after the word "at".

Page 3, line 2, strike out the entire line.

Page 3, line 3, strike out all of the brackets in such line and strike out the word "each".

Page 3, line 4, strike out bracket.

Page 3, line 5, insert a bracket [before the word "herein".

Page 3, line 6, insert a bracket] after the word "therefor" and insert and italicize after such bracket, and before the ensuing comma, the words "that are or may be fixed as herein above provided".

Page 3, strike out the italicized matter beginning with the word "The" in line 12, down to and including the word "each" at the beginning of line 15.

Page 3, line 15, insert a bracket [before the word "The", strike out the word "matrons" and strike out the one bracket before the word "matron"; then insert and italicize before the word "and" the following: "all members, officers and employes of the police department".

Page 3, line 17, insert a bracket [before the comma and insert bracket] after the ensuing word " and " and insert a period next thereafter; then insert and italicize before the word " shall " the words " Police matrons ".

Page 3, line 19, insert bracket [before the word " the ".

Page 3, line 20, strike out the word " matrons " and strike out the bracket before the word " matron " and then insert and italicize before the word " shall " the following: " any office or position hereinabove mentioned ".

Page 3, line 21, insert brackets before and after the word " said " and insert and italicize after the word " electrician " the words " or electricians ".

Page 3, line 22, insert brackets before and after the word " his ".

Page 4, line 1, strike out the word " the " before the word " city " and insert and italicize in place thereof the word " such " and strike out the words " of Yonkers ".

Page 4, strike out the matter in line 2 after the word " after " and strike out the matter in line 3 down to and including the word " act " and insert and italicize in place thereof the following: " this section, as amended, takes effect ".

Page 4, line 5, strike out the word " the " and insert in place thereof the words " any increased or additional ".

Page 4, beginning with and including the word " of " in line 6, strike out all matter down to and including the word " act " in line 9, and insert and italicize in place thereof the following: " that may result from an exercise, by the board of police commissioners and common council, of the discretionary powers herein conferred, so far as such salaries shall exceed the funds of the city now on hand and applicable to the payment of salaries in the police department for the current fiscal year, together with the further sum of \$4,000 for extra expenses of the police department, other than salaries, for such current year."

Page 4, line 19, strike out all matter after the word " date ".

Page 4, line 20, strike out " of Yonkers ".

Page 5, line 1, strike out " passage of this act " and insert and italicize the words " taking effect of this section as amended ".

Page 5, line 2, strike out everything after the word " interest " and insert and italicize " thereof ".

Page 5, line 13, insert a bracket [before the word " herein " and a bracket] after the word " paid " and then insert and italicize the words " of the members, officers and employes of the police department, fixed as prescribed by section four of this chapter ".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Dowling, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate returned the Assembly bill (No. 1161, Senate re-print No. 1693, Int. No. 1004) entitled "An act to amend the Code of Civil Procedure, relative to exclusion of jurors from the court room during argument of certain motions," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 8, after "criminal" strike out all of said line and insert in lieu thereof "The court may, upon the application of either party, exclude from the court room the jurors sitting in an action during the argument of a motion for non-suit, dismissal of the complaint, or direction of a verdict."

On page 2, strike out all of lines 1 and 2.

Mr. Hammond moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 105

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Haines	Marlatt	Schulz
Averill	Dudley	Hamilton	Mead	Sheridan
Baldwin	Duell	Hammond	Merritt	Shuttleworth
Baumann	Eggleston	Hamn	Mills	Sinclair
Blue	Eichhorn	Harper	Moreland	Smith C
Boshart	Farrell	Harris	Morgan	Smith Myron
Brady	Ferguson	Hart	Murphy C F	Staley
Brown	Feth	Hoey	Murphy G W	Stratton
Buckley	Filley	Holmes	Nevins	Surpluss
Burhyte	Foley C F	Hooper	Norton	Volk
Burns	Fowler	Hubbs	O'Brian	Voss
Cavanaugh	Francis	Hurd	Oliver	Waddell
Chamberlain	Frisbie	Jacobs	Parker	Wagner
Cole	Ganly	Keller	Patton	Walters
Colné	Garbe	Lansing	Phillips	Waters
Conklin	Glore	Lewis	Prince	Weimert
Conrady	Gluck	Lowe	Ralston	West

Cunningham	Glynn	Lupton	Reece	Whitley
De Groot	Gray	Maher	Rogers	Whitney F G
Dominy	Green	Mallon	Schmidt	Winters
Dowling	Gunderman	Mance	Schoeneck	Yale

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2639, Senate re-print No. 1795, Int. No. 1054) entitled "An act to amend the Greater New York charter and the Municipal Court Act of the city of New York, by providing for a reorganization of the Municipal Court of New York, and for changes in the districts and in the powers of said court, and in the practice therein; and clerks, and to regulate the salaries of the justices thereof," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 4 of title, after "the" strike out "constitution" and insert "districts". Same page, line 5 of title, after "and" strike out "assistant".

On page 5, line 22, after "elected" strike out "fourteen" and insert "fifteen".

On page 6, line 7, before "for" strike out "One additional justice" and insert "Two additional justices".

On page 7, after line 9, add as follows:
"Such section is also amended by adding thereto a new subdivision to be subdivision 5, and to read as follows:

"5. There shall be elected at the general election to be held on the first Tuesday succeeding the first Monday of November, in the year nineteen hundred and nine, one municipal court justice in each of the first, second, third, and fourth districts of the Borough of Queens, to hold office for terms of ten years from, and including, the first day of January succeeding their election."

On page 8, line 8, after "clerks" insert "deputy clerks".

On page 11, line 16, after "street" insert "and the center line of Fifth street from the Bowery to Second avenue.". Same page, line 17, after "of" insert "Fourth avenue from Fourteenth street to Fifth street". Same page, line 20, after "south" insert "by the center line of Fifth street from the Bowery to Second avenue and on the south". Same page, line 22, after "of" insert "Fourth avenue from Fourteenth street to Fifth street."

On page 12, line 1, after "avenue" insert "from Fourteenth street to Fifty-ninth street, and by the center line of Central Park

West, from Fifty-ninth street to Sixty-fifth street". Same page, line 2, before "street" strike out "Fifty-ninth" and insert "Sixty-fifth". Same page and line, after "street" insert "and the center line of Fifty-ninth street from Seventh to Eighth avenues". Same page, line 12, after "of" strike out "Fifty-ninth" and insert "Sixty-fifth".

On page 13, after line 26, insert the following:

"5. Section thirteen hundred and sixty-two of such act is hereby amended to read as follows:

"BOROUGH OF QUEENS.

"§ 1362. In the Borough of Queens there shall be **[three]** four districts as follows:

"1. The first district embraces [ward one of said borough] the territory bounded by and within The Canal, Rapelye avenue, Jackson avenue, Old Bowery Bar road, Bowery Bay, East river and Newton creek.

"2. The second district embraces [wards two and three of said borough] the territory bounded by and within Maspeth avenue, Maurice avenue, Calamus road, Long Island railroad, Trotting-course lane, Metropolitan avenue, boundary line between the second and fourth wards, boundary line between the second and third wards, Flushing creek, Ireland Mill road, Lawrence avenue, Bradford avenue, Main street, Lincoln street, Union street, Whitestone avenue, Bayside avenue, Little Bayside road, Little Neck Bay, East river, Bowery Bay, Old Bowery Bay road, Jackson avenue, Rapelye avenue, The Canal and Newton creek.

"3. The third district embraces [wards four and five of said borough] the territory bounded by and within Maspeth avenue, Maurice avenue, Calamus road, Long Island railroad, Trotting-course lane, Metropolitan avenue, boundary line between the second and fourth wards, Vandever avenue, Jamaica avenue, Shaw avenue, Atlantic avenue, Morris avenue, Rockaway road, boundary line between Queens and Nassau counties, Atlantic ocean, Rockaway inlet, boundary line between Queens and Kings counties, and Newton creek.

"4. The fourth district embraces the territory bounded by and within the boundary line between the second and fourth wards, the boundary line between the second and third wards, Flushing creek, Ireland Mill road, Lawrence avenue, Bradford avenue, Main street, Lincoln street, Union street, Whitestone avenue, Bayside avenue, Little Bayside road, Little Neck bay, boundary line between Queens and Nassau counties, Rockaway road, Morris avenue, Atlantic avenue, Shaw avenue, Jamaica avenue, and Vandever avenue."

On page 14, line 1, after the section mark strike out " 5 " and insert " 6 ".

On page 15, line 6, after " appointed " insert " or as herein provided ". Same page, line 8, after " thereof " insert " for a term of six years from the date of appointment, and shall receive a salary of three thousand dollars per annum, except in the boroughs of Queens and Richmond, where the salary of such clerks shall be two thousand dollars per annum ".

On page 19, section " 6 " should be renumbered section " 7 ". Same page, strike out lines 17 and 18.

On page 24, after line 16 insert " § 13. Section three hundred and sixty of the municipal court act of the city of New York is hereby amended so as to read as follows:

" 360. Definitions.— Words used in this act in the past or present tense include the future as well as the past or present; words used in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural the singular; ' person ' includes a corporation as well as a natural person; writing includes printing, printed or typewritten matter; ' oath ' includes affirmation or declaration; ' signature ' or ' subscription ' includes ' mark ', when the person cannot write his name being written near it. The following terms also named in this act have the signification attached to them in this section, unless otherwise apparent from the context:

" 1. The word ' attorney ' signifies an attorney of the Supreme Court of this state, duly licensed to practice as such.

" 2. The word ' district ' signifies a district of the municipal court.

" 3. The word ' clerk ' signifies the clerk, deputy clerk or assistant clerk.

" 4. The word ' marshal ' signifies any person authorized to perform the duties of a marshal.

" 5. The word ' corporation ' includes every association having any corporate rights, whether created by special acts of the legislature, or under general laws."

On page 24, line 17, section 13 should be renumbered section 14.

Same page, line 24, section 14 should be renumbered " 15 ".

On page 25, line 13, section 15 should be renumbered section 16.

Same page, line 19, strike out " continued " and insert in lieu thereof " contained ".

Same page, at the end of line 22, strike out the period and insert a comma and add the following: " and excepting also subdivision five of section thirteen hundred and fifty-two and the amendments to section thirteen sixty-two as amended by section five of this act, which shall take effect January first, nineteen hundred and ten,

except the provisions thereof requiring the election of municipal court justices at the general election in nineteen hundred and nine which shall take effect immediately."

Mr. Wells moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 104

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Haines	Marlatt	Sheridan
Averill	Dudley	Hamilton	Matthews	Shuttleworth
Baldwin	Duell	Hammond	Mead	Sinclair
Baumann	Eggleston	Hamn	Merritt	Smith C
Blue	Eichhorn	Harper	Mills	Smith Myron
Boshart	Farrell	Harris	Moreland	Staley
Brady	Ferguson	Hart	Morgan	Stratton
Brown	Feth	Hoey	Murphy C F	Surpless
Buckley	Filley	Holmes	Nevins	Volk
Burhyte	Foley C F	Hooper	Norton	Voss
Burns	Fowler	Hubbs	O'Brian	Waddell
Cavanaugh	Francis	Hurd	Oliver	Wagner
Chamberlain	Frisbie	Jacobs	Parker	Walters
Cole	Ganly	Keller	Patton	Waters
Colné	Garbe	Lansing	Phillips	Weimert
Conklin	Glore	Lewis	Prince	West
Conrady	Gluck	Lowe	Ralston	Whitley
Cunningham	Glynn	Lupton	Reece	Whitney F G
De Groot	Gray	Maher	Rogers	Winters
Dominy	Green	Mallon	Schmidt	Yale
Dowling	Gunderman	Mance	Schulz	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2667, Senate re-print No. 1766, Int. No. 1857) entitled "An act to legalize and confirm the acts and proceedings of the trustees and voters of union free school district number one, town of Hammond, Saint Lawrence county, New York, relative to certain tax and issue and sale of certain bonds of said district," with a message that they have concurred in the passage of the same, with the following amendments:

On page 3, strike out all of line 4, and insert in lieu thereof as follows:

“§ 3. This act shall not affect any action or proceeding now pending in any court.

“§ 4. This act shall take effect immediately.”

Mr. Gray moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 104

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Haines	Marlatt	Sheridan
Averill	Dudley	Hamilton	Mead	Shuttleworth
Baldwin	Duell	Hammond	Merritt	Sinclair
Baumann	Eggleston	Hamn	Mills	Smith C
Blue	Fichhorn	Harper	Moreland	Smith Myron
Boshart	Farrell	Harris	Morgan	Staley
Brady	Ferguson	Hart	Murphy C F	Stratton
Brown	Feth	Hoey	Nevins	Surpless
Buckley	Filley	Holmes	Newton	Volk
Burhyte	Foley C F	Hooper	Norton	Voss
Burns	Fowler	Hubbs	O'Brian	Waddell
Cavanaugh	Francis	Hurd	Oliver	Wagner
Chamberlain	Frisbie	Jacobs	Parker	Walters
Cole	Ganly	Keller	Patton	Waters
Colné	Garbe	Lansing	Phillips	Weimert
Conklin	Glore	Lewis	Prince	West
Conrad	Gluck	Lowe	Ralston	Whitley
Cunningham	Glynn	Lupton	Reece	Whitney F G
De Groot	Goldberg	Maher	Rogers	Winters
Dominy	Gray	Mallon	Schmidt	Yale
Dowling	Green	Mance	Schulz	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

Mr. Baldwin offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 455, Senate reprint No. 1338, Int. No. 446) entitled “An act to better protect the lives of railroad employees,” for the purposes of amendment.

Mr. Speaker put the question whether the Senate would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the bill (No. 1931, Int. No. 447) entitled "An act relating to the removal of patients from hospitals in the city of New York," with a message that this bill was again duly passed, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, the President stating the question to be, "Shall this bill pass notwithstanding the objections of the mayor of the city of New York thereto."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the Senate bill (No. 1224, Assembly reprint No. 2542, Rec. No. 263) entitled "An act to provide for preserving the waters of the Bronx river from pollution; creating a reservation of the lands on either side of the river; authorizing the taking of lands for that purpose and providing for the payment thereof, and appointing a commission to carry out the purposes of the act," with a message that they have adopted the report of the committee of conference thereon and concurred in the amendments of the Assembly thereto.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the Senate bill (No. 837, Assembly reprint No. 2802, Rec. No. 225) entitled "An act to amend the Greater New York charter, in relation to inferior courts of criminal jurisdiction."

Also, Senate bill (No. 1201, Assembly reprint No. 2757, Rec. No. 260) entitled "An act to amend the State Finance Law, in relation to the duties of State officers concerning receipts and expenditures."

Also, Senate bill (No. 1170, Assembly reprint No. 2803, Rec. No. 301) entitled "An act to amend section twelve of the Forest, Fish and Game Law, as amended by section two of chapter five hundred and eighty of the Laws of nineteen hundred and four."

Also, Senate bill (No. 1143, Assembly reprint No. 2608, Rec. No. 228) entitled "An act to amend section seven hundred and fifty of the Code of Criminal Procedure of the State of New York, in relation to appeals."

Also, Senate bill (No. 1254, Assembly reprint No. 2804, Rec. No. 278) entitled "An act to amend section four hundred and one of the Penal Code, relative to certain offenses connected with the dispensing and sale of drugs and medicines."

Also, Senate bill (No. 1551, Assembly reprint No. 2787, Rec. No. 367) entitled "An act to empower the Commissioners of the Land Office to release to Charles W. Dayton all the right, title and interest of the people of the State of New York in and to certain real estate in the city, formerly town of Yonkers, county of Westchester, State of New York, acquired by escheat or forfeiture upon the death of Charles Scola and Carlo Scola," with a message that they have concurred in the amendments of the Assembly made thereto.

Ordered, That the Clerk return said bills to the Senate.

The Senate returned the bill (No. 1043, Int. No. 918) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section ten of article eight of the Constitution, relating to the limitation of indebtedness of counties, cities, towns and villages, by excepting cities of the second class from the provisions of said section, after the first day of January, nineteen hundred and eight," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bill to the Secretary of State.

The Senate returned the Assembly bill (No. 1906, Senate reprint No. 1774, Int. No. 680) entitled "An act to amend the Penal Code, relative to limiting the amount to be expended by candidates for public office."

Also, Assembly bill (No. 740, Senate reprint No. 1615, Int. No. 683) entitled "An act to authorize the Comptroller of the State to hear and determine the application of Everitt R. Walker for the cancellation of tax sales made in the years eighteen hundred and eighty-one and eighteen hundred and eighty-five of lot fifty-three, Mayfield patent, in Fulton county."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill No. (2611, Int. No. 1824) entitled "An act to amend chapter two hundred and three of the Laws of nineteen hundred and seven, entitled 'An act to revise

and amend the charter of the city of Newburgh, being chapter five hundred and forty-one of the Laws of eighteen hundred and sixty-five and the several acts amendatory thereof and supplemental thereto,' generally," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Newburgh.

The Senate returned the bill (No. 2750, Int. No. 1890) entitled "An act to amend the Greater New York charter, in relation to qualifications of firemen," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 1774, Int. No. 1393) entitled "An act to authorize the board of estimate and apportionment of the city of New York to hear, determine, audit and allow, claims of certain persons for services as probation officers in the city of New York, and directing the comptroller to pay such claims as may be allowed for such services by said board," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 2801, Int. No. 1917) entitled "An act to amend the Code of Civil Procedure, in relation to the clerk, deputy clerks, assistant clerks, stenographers, interpreters, and attendants in the City Court of the city of New York," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 2725, Int. No. 287) entitled "An act to amend the Code of Civil Procedure, in relation to the City Court of the city of New York; increase the number of justices, salaries of justices, the duties of the justices relating to

the appointment and removal of clerks, attendants, et cetera, and their duties, and reference to other matters pertaining to the administration of the court," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 2053, Int. No. 847) entitled "An act in relation to claims filed in the office of the comptroller or other financial officer of cities of one million inhabitants or over," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 2749, Int. No. 1889) entitled "An act to authorize and empower the commissioners of the sinking fund of the city of New York to refund to the Saint Paul's German Evangelical Reformed Church, or the trustees thereof, moneys paid as assessment for public improvements upon certain real property belonging to said church in the borough of the Bronx, New York city," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 2727, Int. No. 1874) entitled "An act to prohibit the erection of elevated railroad structures upon certain streets in the city of Yonkers," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Yonkers.

The Senate returned the bill (No. 2350, Int. No. 1703) entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain taxes for the year nineteen hundred and six, affecting property situate in the borough of Manhattan in the city of New York now belonging to and upon which is erected the building of the Young Women's Hebrew Association of the city of New York," with a message that

they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 1585, Int. No. 1057) entitled "An act to amend the Greater New York charter, in relation to police matrons," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy to the mayor of the city of New York.

The Senate returned the bill (No. 2766, Int. No. 1896) entitled "An act to amend chapter three hundred and ninety-six of the Laws of eighteen hundred and eighty-five, entitled 'An act to revise the charter of the city of Dunkirk,' in relation to construction of sewers, interest on deferred payments and bonds for such improvements," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Dunkirk.

The Senate returned the bill (No. 1562, Senate reprint No. 2793, Assembly reprint No. 1418, Int. No. 1269) entitled "An act to amend the Revised Statutes, relative to references in insolvent debtors' proceedings," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 1882, Int. No. 1469) entitled "An act to amend the Lien Law, in relation to the discharge of a bond or undertaking."

Also, the bill (No. 2335, Int. No. 1692) entitled "An act to amend chapter three hundred and thirty-four of the Laws of nineteen hundred and one, entitled 'An act in relation to tenement houses in cities of the first class.'"

Also, the bill (No. 2494, Int. No. 1473) entitled "An act to amend chapter three hundred and eighty of the Laws of nineteen hundred and three, entitled 'An act to regulate the junk business, and to require a person engaging in such business to procure a license,' by increasing the amount of such license in certain counties."

Also, the bill (No. 2659, Int. No. 1821) entitled "An act to

amend chapter thirty-seven of the Laws of nineteen hundred and one, as amended by chapter three hundred and fifty-one of the Laws of nineteen hundred and three, entitled 'An act authorizing appropriations by the board of supervisors of Rockland county for the support and maintenance of the inmates of the Nyack hospital.' "

Also, the bill (No. 1784, Int. No. 1404) entitled "An act to repeal sections sixty-two, sixty-three and sixty-four of the Transportation Corporations Law."

Also, the bill (No. 1897, Int. No. 161) entitled "An act to amend chapter one hundred and thirty-three of the Laws of eighteen hundred and forty-seven, entitled 'An act authorizing the incorporation of rural cemetery associations,' relative to the exemption of cemetery property."

Also, the bill (No. 2743, Int. No. 1883) entitled "An act to amend chapter five hundred and forty-nine of the Laws of eighteen hundred and seventy-four, entitled 'An act to provide for the planting and protection of oysters in those portions of the Great South Bay lying in the town of Islip, Suffolk county, wherein the taking of clams cannot be profitably followed as a business,' in relation to allotment of portions of such bay."

Also, the bill (No. 2609, Int. No. 1362) entitled "An act to provide for an additional supply of pure and wholesome water for the village of Peekskill; for the acquisition of lands or interests therein, and for the construction of the necessary reservoir, dams and other appurtenances for that purpose."

Also, the bill (No. 2201, Int. No. 903) entitled "An act to amend chapter five hundred sixty-eight of the Laws of eighteen hundred and ninety, entitled 'An act in relation to highways, constituting chapter nineteen of the general laws,' in relation to appeals."

Also, the bill (No. 2759, Int. No. 1854) entitled "An act to amend chapter two hundred and sixty-six of the Laws of nineteen hundred and three, entitled 'An act to provide for the holding of town meetings and elections in counties of the State having a certain population,' in relation to the time when town officers shall take office, compensation of certain committees, and supervisors of such counties."

Also, the bill (No. 1954, Int. No. 1502) entitled "An act to amend the Religious Corporations Law, in relation to the True Reformed Dutch Church in the United States of America."

Also, the bill (No. 437, Int. No. 428) entitled "An act to release to Frank H. Cothren all the right, title and interest of the people of the State of New York in and to certain real estate situate in the city of New York, county of Kings and State of New York."

Also, the bill (No. 1104, Int. No. 962) entitled "An act for the relief of the Sydenham Post Graduate Course and Hospital by legalizing the acts of its members and directors, the election of its directors, and the enactment of its constitution and by-laws."

Also, the bill (No. 2645, Int. No. 1843) entitled "An act to amend chapter five hundred and eighty-eight of the Laws of eighteen hundred and ninety-eight, entitled 'An act to erect the county of Nassau from the territory now comprised within the limits of the towns of Oyster Bay, North Hempstead and Hempstead, in the county of Queens,' relative to the salary of the county superintendent of the poor."

Also, the bill (No. 1749, Int. No. 894) entitled "An act to amend sections thirty-three and thirty-four of title two of chapter three of part four of the Revised Statutes, relating to State prisons, relative to the salaries of certain officers."

Also, the bill (No. 688, Int. No. 645) entitled "An act to empower the Commissioners of the Land Office to hear the memorial of the Cayuga Nation of Indians."

Also, the bill (No. 2269, Int. No. 475) entitled "An act to amend the Railroad Law; in relation to rates of fare."

Also, the bill (No. 2741, Int. No. 1881) entitled "An act to authorize any Protestant Episcopal church in the diocese of New York to convey all its property subject to the payment of its debts to any other Protestant Episcopal church in said diocese."

Also, the bill (No. 2742, Int. No. 1882) entitled "An act to authorize the Church of the Intercession to dispose of its property and become dissolved."

Also, the bill (No. 2197, Int. No. 1568) entitled "An act to amend chapter one hundred and ninety of the Laws of eighteen hundred and seventy-eight, entitled 'An act to protect the sea side

boulevard and meadows adjacent thereto on the south shore of Staten island, and to prevent the same from being injured or overflowed by the waters of the bay of New York,' in relation to the removal of sand, earth or clay."

Also, the bill (No. 996, Int. No. 634) entitled "An act in relation to warehouse receipts."

Also, the bill (No. 1219, Int. No. 1056) entitled "An act to amend the Code of Civil Procedure, in relation to an Appellate Term of the Supreme Court in certain boroughs of the city of New York."

Also, the bill (No. 1173, Int. No. 1014) entitled "An act to protect the purchasers on sales of real estate where the deed was executed by an attorney-in-fact prior to January first, eighteen hundred and seventy-five."

Also, the bill (No. 577, Int. No. 549) entitled "An act to legalize the acts of Frederick B. Van Vleck, a commissioner of deeds."

Also, the bill (No. 1200, Int. No. 442) entitled "An act to amend the Membership Corporations Law, relative to the care of cemetery lots and the sale of unused parts of lots."

Also, the bill (No. 2004, Int. No. 505) entitled "An act to amend the Personal Property Law, relative to holders of trust funds requiring personal bonds or guarantee of payment."

Also, the bill (No. 2375, Int. No. 1555) entitled "An act to amend the Code of Civil Procedure, relative to stenographer fees in Westchester county."

Also, the bill (No. 1678, Int. No. 131) entitled "An act to amend the Labor Law, relative to providing washrooms in foundries."

Also, the bill (No. 2715, Int. No. 1869) entitled "An act to amend the Penal Code, in relation to the punishment for kidnapping."

Also, the bill (No. 2728, Int. No. 1875) entitled "An act to legalize the proceedings of certain meetings of the voters of school district number twelve, towns of Rotterdam and Niskayuna, Schenectady county, New York, and of the trustee of said district in the issuance and sale of bonds to the amount of eighteen thousand dollars."

Also, the bill (No. 2355, Int. No. 1178) entitled "An act to amend the Railroad Law, in relation to the protection of street railroad employees, in the county of Westchester."

Also, the bill (No. 2500, Int. No. 1574) entitled "An act to amend the Code of Criminal Procedure, relative to warrant issued by certain judicial officers."

Also, the bill (No. 2495, Int. No. 1761) entitled "An act to revise, amend and consolidate the various acts relating to the village of Lyons, in the county of Wayne, and to repeal certain acts and parts of acts affecting such village."

Also, the bill (No. 2748, Int. No. 1888) entitled "An act to amend chapter four hundred and fourteen, entitled the Village Law, constituting chapter twenty-one of the general laws."

Also, the bill (No. 2402, Int. No. 1601) entitled "An act to amend the Labor Law and repeal chapter nine of the Laws of nineteen hundred and one, relative to the organization of the Department of Labor."

Also, the bill (No. 2605, Int. No. 1823) entitled "An act to amend the Code of Civil Procedure, in relation to Richmond county."

Also, the bill (No. 1574, Int. No. 1282) entitled "An act to repeal section one hundred and twenty-three of the Forest, Fish and Game Law."

Also, the bill (No. 750, Int. No. 693) entitled "An act to amend chapter one hundred and thirty-five of the Laws of eighteen hundred and eighty-four, entitled 'An act providing for the better collection of taxes in the county of Erie; for the sale by the treasurer thereof of lands in said county for unpaid taxes, and regulating the compensation of said treasurer,' in relation to powers and duties of the county treasurer."

Also, the bill (No. 1662, Int. No. 1330) entitled "An act to amend the Agriculture Law, relative to sale of material used as fertilizer."

Also, the bill (No. 1963, Int. No. 1507) entitled "An act to reappropriate certain unexpended balances of former appropriations."

Also, the bill (No. 894, Int. No. 823) entitled "An act making an appropriation for the payment of the principal and in-

terest of Adirondack Park bonds, issued pursuant to chapter two hundred and twenty of the Laws of eighteen hundred and ninety-seven."

Also, the bill (No. 2345, Int. No. 1697) entitled "An act to amend the Membership Corporation Law, relative to the incorporation of bar associations."

Also, the bill (No. 2795, Int. No. 1916) entitled "An act to amend chapter three hundred and thirteen of the Laws of eighteen hundred and seventy-nine, entitled 'An act to provide for the care and protection of Moscow public square and 'parade ground,' generally."

Also, the bill (No. 2695, Int. No. 1810) entitled "An act to amend the Primary Election Law, relative to annual primary day."

Also, the bill (No. 2052, Int. No. 79) entitled "An act to amend the Labor Law, relative to hours of labor of children, minors and women."

Also, the bill (No. 1133, Int. No. 80) entitled "An act to amend the Labor Law, relative to ventilation of factories."

Also, the bill (No. 2290, Int. No. 1664) entitled "An act to amend the Liquor Tax Law, in relation to places in which the traffic in liquor shall not be permitted."

Also, the bill (No. 2214, Int. No. 1434) entitled "An act to amend the Penal Code, in relation to interpretation of terms."

Also, the bill (No. 2423, Int. No. 1729) entitled "An act to provide for refunding certain taxes erroneously paid into the treasury of the State by certain foreign life insurance companies domiciled in the State of Connecticut."

Also, the bill (No. 1877, Int. No. 1463) entitled "An act to amend the Forest, Fish and Game Law, in relation to taking fish from streams inhabited by trout or other game fish during the close season."

Also, the bill (No. 2384, Int. No. 1340) entitled "An act to amend the Agricultural Law, in relation to additional sanitary requirements as to dairy products."

Also, the bill (No. 2649, Int. No. 1849) entitled "An act to amend the Highway Law, relating to the cutting and removal of noxious weeds and brush and providing for the same when the highway is in the boundary lines between two or more towns."

Also, the bill (No. 2054, Int. No. 1049) entitled "An act to amend the Agricultural Law, relative to prohibiting the use of unclean or unsanitary cans or receptacles for the transportation or sale of milk or milk products, and appointment of inspectors."

Also, the bill (No. 2551, Int. No. 1425) entitled "An act to provide for laying out, constructing and maintaining a public park in the town of Rye, county of Westchester, and for the acquisition of lands and property for that purpose by the said town of Rye, and to provide for the payment thereof."

Also, the bill (No. 1809, Int. No. 1419) entitled "An act to amend chapter six hundred and eighty-nine of the Laws of eighteen hundred and ninety-two, entitled 'An act in relation to banking corporations, being chapter thirty-seven of the general laws.'"

Also, the bill (No. 2713, Int. No. 1867) entitled "An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled 'An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof,' in relation to increase of the salary of the assistant chief, electrician and permanent firemen of the fire department of said village."

Also, the bill (No. 2650, Int. No. 1370) entitled "An act to amend section twenty-one of the Civil Service Law, in relation to power of removal," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 455, Senate reprint No. 1338, Int. No. 446) entitled "An act to better protect the lives of railroad employees," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

On motion of Mr. Moreland, the House adjourned.

FRIDAY, MAY 31, 1907.

The House met pursuant to adjournment.

Prayer by Rev. J. M. Proctor.

On motion of Mr. G. H. Whitney, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. Haines offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 2443, Int. No. 1483) entitled "An act to amend chapter six hundred and thirty-five of the laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Yonkers,' generally," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Nevins offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 2330, Int. No. 1687) entitled "An act to amend chapter one hundred and sixty-seven of the laws of nineteen hundred and six, entitled 'An act to make the office of county clerk of Wyoming county a salaried office, and regulating the management of said office,' generally," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER.

ALBANY, May 31, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 2443, Int.

No. 1483) entitled "An act to amend chapter six hundred and thirty-five of the laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Yonkers,' generally."

CHARLES E. HUGHES.

Said bill having been announced, Mr. Haines moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 102

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Miller	Smith A E
Apgar	Draper	Hamilton	Mills	Smith Myron
Baldwin	Duell	Harawitz	Moreland	Staley
Baumann	Eagleton	Harris	Morgan	Stern
Blue	Eichhorn	Hart	Murphy C F	Stratton
Bohan	Farrell	Hastings	Murphy G W	Todd
Brady	Ferguson	Hoey	Northrup	Volk
Brooks	Filley	Hooper	Norton	Waddell
Brough	Flanagan	Hurd	Oliver	Wagner
Buckley	Foley C F	Huth	Patton	Wainwright
Burhyte	Foley J A	Jackson	Phillips	Walters
Burns	Francis	Keller	Prentice	Weber
Burzynski	Ganly	Lee	Prince	Weimert
Chamberlain	Garbe	Lewis	Ralston	Wells
Cole	Geoghagan	Loos	Robinson	West
Conklin	Glore	Lupton	Schmidt	Whitney G H
Croak	Gluck	Maher	Schoeneck	Winters
Cunningham	Goldberg	Mance	Schwegler	Wood
Cuvillier	Gray	McCue	Shuttleworth	Yale
Dobbs	Gunderman	Merritt	Sinclair	Young
Dominy	Hackett			

Mr. Haines moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

On page 9, line 21, strike out all after the word "the" to and including the bracket.

On page 9, line 22, strike out the bracket.

On page 9, line 24, strike out all after the word "until" to and including the bracket.

On page 9, line 25, strike out the bracket.

On page 10, line 1, strike out the words "on the Tuesday succeeding the first Monday".

On page 10, line 2, strike out all the brackets and the words "nineteen hundred and seven".

On page 10, line 3, strike out all the brackets and the word "one".

On page 10, lines 3 and 4, strike out the word "alderman" and all the brackets.

On page 10, lines 4 and 5, strike out the words "for two years from January first, nineteen hundred and eight," and the bracket in line 5.

On page 10, line 6, strike out the bracket and the balance of the line.

On page 10, line 7, strike out the line to the semicolon and the word "one" and strike out the brackets.

On page 10, line 8, strike out the word "alderman" and the brackets and the words "for two years from".

On page 10, line 9, strike out all the line to and including the bracket.

On page 10, line 10, strike out the bracket and all the balance of that line, and all the lines 11 to 19, both inclusive, to and including the bracket in line 20.

On page 11, line 2, strike out the bracket.

On page 11, line 4, strike out all after the word "held".

On page 11, line 5, strike out the words "succeeding the first Monday" and strike out the brackets.

On page 11, lines 5 and 6, strike out the words "nineteen hundred and seven" and the brackets in line 6.

On page 11, line 7, strike out the word "one" and all the brackets and the words "the first".

On page 11, line 8, strike out the bracket.

On page 11, line 9, strike out the bracket and all the balance of the line 9, all of lines 10 to 23, both inclusive.

On page 11, line 24, strike out the words "to conflict with" and insert in place thereof "to repeal".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Dowling, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate returned the Assembly bill (No. 2127, Senate re-print No. 1767, Int. No. 1441) entitled "An act to amend chapter one hundred and fifteen of the Laws of eighteen hundred and ninety-eight, entitled 'An act to provide for the improvement of the public highways,' generally," with a message that they have

concurred in the passage of the same, with the following amendments :

On page 1, lines 7 and 8, after " may ", line 7, insert a bracket, and after " must ", line 8, insert a bracket.

On page 2, line 11, before " The " insert a bracket. Same page, line 16, after " act " insert a bracket.

On page 9, after " specifications " strike out the semicolon. Same page and line, after " and " enclose in brackets " as " and insert " also ".

On page 10, strike out the brackets around " shall " and strike out " may ".

On page 12, strike out the bracket before " it ". Same page, line 5, strike out the bracket after " of ", and on same page and line, after " supervisors " strike out the brackets enclosing the word " to " and strike out the word " may ". Same page, line 10, after " the " enclose in brackets " aggregate amount " and insert " annual installments and interest ". Same page, line 11, after " treasurer " strike out " annually ".

On page 14, line 9, strike out the semicolon after " charge ".

On page 16, line 14, after " Whenever " enclose in brackets " during the construction ", and insert " after the completion ", Same page, line 15, after " highway " enclose in brackets " or after its completion ". Same page, line 16, after " proper " enclose in brackets " construction of ".

On page 23, line 25, after " the " enclose in brackets the word " consent " and insert " approval ".

On page 24, line 3, strike out " street surface railroad or transportation " and insert " person, firm or ". Same page, line 4, after " ration " insert " who or ".

Mr. Merritt moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 102

NOES 00

Those who voted in the affirmative were :

Allen	Dominy	Hackett	Merritt	Smith A E
Apgar	Donnelly	Haines	Miller	Smith Myron
Baldwin	Draper	Hamilton	Mills	Staley
Baumann	Duell	Harawitz	Moreland	Stern

Blue	Eagleton	Harris	Morgan	Stratton
Bohan	Eichhorn	Hart	Murphy C F	Todd
Brady	Farrell	Hastings	Murphy G W	Volk
Brooks	Ferguson	Hoey	Northrup	Wadcell
Brough	Filley	Hooper	Norton	Wagner
Buckley	Flanagan	Hurd	Patton	Wainwright
Burhyte	Foley C F	Huth	Phillips	Walters
Burns	Foley J A	Jackson	Prentice	Weber
Burzynski	Francis	Keller	Prince	Weimert
Chamberlain	Ganly	Lee	Ralston	Wells
Cole	Garhe	Lewis	Robinson	West
Collins	Geoghagan	Loos	Schmidt	Whitney G H
Conklin	Glore	Lupton	Schoeneck	Winters
Croak	Gluck	Maber	Schwegler	Wood
Cunningham	Goldberg	Mance	Shuttleworth	Yale
Cuvillier	Gray	McCue	Sinclair	Young
Dobbs	Gunderman			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1841, Senate reprint No. 1798, Int. No. 1440) entitled "An act to amend chapter four hundred and sixty-nine of the Laws of nineteen hundred and six, entitled 'An act to provide for issuing of bonds of the State for the improvement of highways, and making an appropriation therefor,' generally," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 7, after "such" strike out "lot" and insert "lots".

On page 4, line 10, after "in" enclose in brackets the word "this" and insert "the". Same page, line 12, after "due" insert a comma, and same page and line after "which" strike out the comma.

On page 9, line 14, after "supervisors" strike out "but such". Same page, line 10, before "such" strike out "board may". Same page, and line, strike out all the brackets and after the word "levied," strike out "levy such sum".

Same page, line 18, after "statement" strike out the period and insert a comma. Same page, line 19, after "collected" insert a bracket. Same page, line 22, before "The" insert a bracket.

On page 10, line 12, after "of" strike out the brackets around "five" and strike out the word "one".

Mr. Merritt moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar

legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 101

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Miller	Smith A E
Apgar	Draper	Hamilton	Mills	Smith Myron
Baldwin	Duell	Harawitz	Moreland	Staley
Baumann	Eagleton	Harris	Morgan	Stern
Blue	Eichhorn	Hart	Murphy C F	Stratton
Bohan	Farrell	Hastings	Murphy G W	Todd
Brady	Ferguson	Hoey	Northrup	Volk
Brooks	Filley	Hooper	Norton	Waddell
Brough	Flanagan	Hurd	Oliver	Wagner
Buckley	Foley C F	Huth	Patton	Wainwright
Burhyte	Foley J A	Jackson	Phillips	Walters
Burns	Francis	Keller	Prentice	Weber
Burzynski	Ganly	Lee	Prince	Weimert
Chamberlain	Garbe	Lewis	Ralston	Wells
Cole	Glore	Loos	Robinson	West
Conklin	Gluck	Lupton	Schmidt	Whitney G H
Croak	Goldberg	Maher	Schoeneck	Winters
Cunningham	Gray	Mance	Schwegler	Wood
Cuvillier	Gunderman	McCue	Shuttleworth	Yale
Dobbs	Hackett	Merritt	Sinclair	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2377, Senate reprint No. 1604, Int. No. 347) entitled "An act to amend the Penal Code, in relation to the sale and furnishing of certain poisons," with a message that they have concurred in the passage of the same, with the following amendment:

On page 2, line 7, strike out the brackets around the word "cocaine".

Mr. G. H. Whitney moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 101

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	McCue	Smith A E
Apgar	Draper	Hamilton	Merritt	Smith Myron
Baldwin	Duell	Hammond	Miller	Staley
Baumann	Eagleton	Harawitz	Mills	Stern
Blue	Eichhorn	Harris	Morgan	Stratton
Bohan	Farrell	Hart	Murphy C F	Todd
Brady	Ferguson	Hastings	Murphy G W	Volk
Brooks	Filley	Hoey	Northrup	Waddell
Brough	Flanagan	Hooper	Norton	Wagner
Buckley	Foley C F	Hurd	Patton	Wainwright
Burhyte	Foley J A	Huth	Phillips	Walters
Burns	Francis	Jackson	Prentice	Weber
Burzynski	Garly	Keller	Prince	Weimert
Chamberlain	Garbe	Lee	Ralston	Wells
Cole	Geoghagan	Lewis	Robinson	West
Conklin	Glore	Loos	Schmidt	Whitney G H
Croak	Gluck	Lupton	Schoeneck	Winters
Cunningham	Gray	Maher	Schwegler	Wood
Cuvillier	Gunderman	Mance	Shuttleworth	Yale
Dobbs	Hackett	Matthews	Sinclair	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 2443, Int. No. 1483) entitled "An act to amend chapter six hundred and thirty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Yonkers,' generally," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 2330, Int. No. 1687) entitled "An act to amend chapter one hundred and sixty-seven of the Laws of nineteen hundred and six, entitled 'An act to make the office of county clerk of Wyoming county a salaried office, and regulating the management of said office,' generally," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

On motion of Mr. G. H. Whitney, the House adjourned.

MONDAY, JUNE 3, 1907.

The House met pursuant to adjournment.

Prayer by Rev. H. O. Hiscox.

On motion of Mr. Moreland, the reading of the journal of Friday, May 31, 1907, was dispensed with, and the same was approved.

Mr. Speaker presented the annual report of the Board of Statutory Consolidation, which was laid upon the table and ordered printed.

(See Document.)

Mr. Speaker presented the joint resolution of the Illinois Legislature in relation to a proposed constitutional convention in relation to election of United States Senators, which was ordered laid upon the table.

Mr. Hastings gives notice that he requests that Assembly bill (No. 2837, Int. No. 1939) entitled "An act to legalize, ratify and confirm a special election held in the town of Monroe, county of Orange, and the proposition adopted at such election for the purchase of a stone crushing plant, consisting of steam roller, stone crusher, elevator and bin, in such town, and pledging the credit of said town for the payment of the same," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Fowler gives notice that he requests that Assembly bill (No. 2780, Int. No. 1904) entitled "An act to amend the Highway Law, relative to assessment of poll tax," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Croak gives notice that he requests that Assembly bill No. 2799, Int. No. 1914) entitled "An act to confirm certain grants or patents of land under the navigable waters of the State," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Burns gives notice that he requests that Assembly bill (No. 2809, Int. No. 1919) entitled "An act to amend chapter six hundred and eighty-three of the Laws of eighteen hundred and ninety-two, entitled 'An act in relation to executive officers, constituting chapter nine of the general laws,' in relation to the salary of the deputy State engineer," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. West gives notice that he requests that Assembly bill (No. 2356, Senate reprint No. 1492, Int. No. 452) entitled "An act to amend the Public Health Law by defining optometry and regulating the practice thereof," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Phillips gives notice that he requests that the Senate bill (No. 1677, Rec. No. 456) entitled "An act to amend the Code of Civil Procedure, in relation to awarding costs to an unsuccessful contestant of a will," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Moreland gives notice that he requests that the Senate bill (No. 1194, Rec. No. 342) entitled "An act to amend the Town Law, relating to the duties of supervisors," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. F. G. Whitney gives notice that he requests that the Senate bill (No. 1445, Rec. No. 381) entitled "An act to amend the charter of the city of Fulton, in relation to providing for a hospital fund by taxation," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. F. G. Whitney gives notice that he requests that the Senate bill (No. 1572, Rec. No. 399) entitled "An act to amend the

Forest, Fish and Game Law, in relation to set lines and tip-ups on Big Sandy pond in Oswego county " a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Rogers gives notice that he requests that Senate bill (No. 1686, Rec. No. 435) entitled "An act to establish a State probation commission and defining its powers and duties," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Hamn gives notice that he requests that Senate bill (No. 1703, Rec. No. 431) entitled "An act to amend chapter four hundred and sixty-nine of the Laws of nineteen hundred and six, entitled 'An act to provide for issuing of bonds of the State for the improvement of highways, and making appropriation therefor,' generally," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Fowler gives notice that he requests that Senate bill (No. 1629, Rec. No. 437) entitled "An act to authorize the Comptroller to hear and determine the application of Abram G. DeWitt for the concellation of tax sales made in the years eighteen hundred and ninety-five and nineteen hundred, of lot number five, eastern one-half of great lot number eight of the Hurley patentee woods, fourteen and one-half acres, in Ulster county," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Hamn gives notice that he requests that the Senate bill (No. 1702, Rec. No. 430) entitled "An act to amend the Highway Law, in relation to State aid in towns under the money system," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Brough gives notice that he requests that Senate bill (No. 531, Assembly reprint No. 2376, Rec. No. 86) entitled "An act to amend the Greater New York charter, in relation to the amount of annual pension to retiring members of the fire department," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Robinson gives notice that he requests that Assembly bill (No. 2860, Int. No. 723) entitled "An act to amend the Greater New York charter, relative to aldermanic districts, the division of the city into the same and the boundaries thereof, and to districts for home rule and local improvements," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Rogers gives notice that he requests that Assembly bill (No. 2244, Int. No. 1640) entitled "An act to amend the Insurance Law, relating to the certificate of authority of agents and to the election of directors," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

The Senate sent for concurrence the following entitled bills:

"An act to incorporate the Lower Bridge Company" (No. 1705, Rec. No. 475), which was read the first time and referred to the committee on the judiciary.

"An act to authorize the city of Cohoes to borrow money for the construction of a bridge over the first branch of the Mohawk river at Ontario street in said city" (No. 1710, Rec. No. 476), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' in relation to interpreter in proceedings before the police court and justice" (No. 1433, Rec. No. 477), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter nine hundred and nine of the Laws of eighteen hundred and ninety-six, in relation to the elections, constituting chapter six of the general laws, with relation to the appointment and removal of election officers in cities" (No. 1776, Rec. No. 478), which was read the first time and referred to the committee on the judiciary.

"An act to reimburse the estate of Cornelius Holland, deceased, for inheritance tax illegally collected" (No. 1734, Rec. No. 479), which was read the first time and referred to the committee on ways and means.

"An act to provide for the improvement of Central street, in the village of Moravia, from Main street to the western terminus of Central street, with pavement, and to provide for issuing of bonds in aid of such construction" (No. 1735, Rec. No. 480), which was read the first time and referred to the committee on affairs of villages.

"An act to approve a map of the highways prepared by the State Engineer and Surveyor and to provide for an apportionment of highways to be improved with funds made available by the sale of bonds under the provisions of section twelve of article seven of the Constitution, and to authorize the preparation and distribution of such maps and making an appropriation therefor" (No. 1772, Rec. No. 481), which was read the first time and referred to the committee on internal affairs.

By unanimous consent, Mr. Merritt introduced a bill entitled "Act to amend the Legislative Law, generally" (Int. No. 1964), which was read the first time and referred to the committee on ways and means.

By unanimous consent, Mr. Rogers introduced a bill entitled "An act to amend chapter one hundred and twenty-three of the Laws of nineteen hundred and six, entitled 'An act providing for the election of directors in mutual life insurance corporations,' relative to biennial elections" (Int. No. 1965), which was read the first time and referred to the committee on insurance.

By unanimous consent, Mr. Hooper introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to the transportation of the carcasses and venison of domesticated

deer" (Int. No. 1966), which was read the first time and referred to the committee on fisheries and game.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Fowler (No. 2780, Int. No. 1904), entitled "An act to amend the Highway Law, in relation to assessment of poll tax."

Also, Assembly bill introduced by Mr. West (No. 2837, Int. No. 1939), entitled "An act to legalize, ratify and confirm a special election held in the town of Monroe, county of Orange, and the proposition adopted at such election for the purchase of a stone-crushing plant, consisting of steam roller, stone crusher, elevator and bin, in such town, and pledging the credit of said town for the payment of the same."

Also, Assembly bill introduced by Mr. Burns (No. 2809, Int. No. 1919), entitled "An act to amend chapter six hundred and eighty-three of the Laws of eighteen hundred and ninety-two, entitled 'An act in relation to executive officers, constituting chapter nine of the general laws,' in relation to the salary of Deputy State Engineer."

Also, Assembly bill introduced by Mr. Croak (No. 2799, Int. No. 1914), entitled "An act to confirm certain grants or patents of land under the navigable waters of the State," reported in favor of the passage of the same without amendment, and that the same be made a special order on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. West (No. 2356, Senate reprint No. 1492, Int. No. 452), entitled "An act to amend the Public Health Law by defining optometry and regulating the practice thereof," reported in favor of the passage of the same without amendment, and that the same be made a special order on third reading immediately, which report was agreed to, and said bill ordered made special order on third reading immediately.

Mr. Speaker, from the committee on rules, to which was re-

ferred Senate bill introduced by Mr. Hinman (No. 1194, Rec. No. 342), entitled "An act to amend the Town Law, relating to the duties of supervisors."

Also, Senate bill introduced by Mr. Tully (No. 1677, Rec. No. 456), entitled "An act to amend the Code of Civil Procedure, in relation to awarding costs to an unsuccessful contestant of a will."

Also, Senate bill introduced by Mr. Gates (No. 1572, Rec. No. 399), entitled "An act to amend the Forest, Fish and Game Law, in relation to set lines and tip-ups on Big Sandy pond in Oswego county."

Also, Senate bill introduced by Mr. Gates (No. 1445, Rec. No. 381), entitled "An act to amend the charter of the city of Fulton, in relation to providing for a hospital fund by taxation."

Also, Senate bill introduced by Mr. Cobb (No. 1703, Rec. No. 431), entitled "An act to amend chapter four hundred and sixty-nine of the Laws of nineteen hundred and six, entitled 'An act to provide for issuing of bonds of the State for the improvement of highways, and making appropriation therefor,' generally."

Also, Senate bill introduced by Mr. Davis (No. 1686, Rec. No. 435), entitled "An act to establish a State probation commission and defining its powers and duties."

Also, Senate bill introduced by Mr. Cordts (No. 1629, Rec. No. 434), entitled "An act to authorize the Comptroller to hear and determine the application of Abram G. DeWitt for the cancellation of tax sales in the years eighteen hundred and ninety-five and nineteen hundred, of lot number five, eastern one-half of great lot number eight of the Hurley patentee woods, fourteen and one-half acres, in Ulster county."

Also, Senate bill introduced by Mr. Cobb (No. 1702, Rec. No. 430), entitled "An act to amend the Highway Law, in relation to State aid in towns under the money system," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading hereafter reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Saxe (No. 531, Assembly reprint No. 2376, Rec. No. 86), entitled "An act to amend the Greater New York charter, in relation to the amount of annual pension to retiring members of the fire department," reported in favor of the passage of the same without amendment, and that the same be made a special order on third reading immediately, which report was agreed to, and said bill ordered made special order on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Robinson (No. 2860, Int. No. 723), entitled "An act to amend the Greater New York charter, relative to aldermanic districts, the division of the city into the same and the boundaries thereof, and to districts for home rule and local improvements," retaining its place on the order of third reading, reported in favor of the passage of the same, with the following amendments:

Page 10, line 23, insert the word "to" before "Gouverneur". Same line, insert ",", after the word "street" where it occurs the third time.

Page 18, line 17, strike out the word "said".

Page 19, line 18, strike out the word "thirteenth" and insert "thirtieth".

Page 32, line 13, strike out "Briggs" and insert "Driggs".

Page 36, line 22, strike out the word "to" where it occurs for the third time.

Page 38, line 7, make "Avenue B" read "Avenue R".

Page 46, line 2, strike out "Fifteenth" and insert "Thirteenth". Line 14, after the word "the" insert "Twenty-first,". Line 18, after the word "the" insert "Twenty-fifth, Twenty-seventh,". Line 24, strike out "-seventh" and insert "-fifth". Same line, strike out "-eighth" and insert "-sixth".

and that the same be reprinted, as amended, and re-engrossed, and that when it shall have been on the desks of the members three calendar days it be made a special order on third reading immediately.

Which report was agreed to, and said bill ordered reprinted, as amended, and re-engrossed, and when it shall have been on the desks of the members three calendar legislative days it be made a special order on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Rogers (No. 2244, Int. No. 1640), entitled "An act to amend the Insurance Law, relating to the certificate of authority of agents and to the election of directors," reported in favor of the passage of the following substitute bill:

(See Appendix No. 44.)

and that said substitute bill be printed, and when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported.

Which report was agreed to, and said bill ordered reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported.

Mr. Hubbs, from the committee on internal affairs, presented the report of the joint Senate and Assembly committee on internal affairs in relation to the Good Roads Apportionment maps.

(See Appendix No. 45.)

which report was agreed to.

Mr. West, from the committee on printed or engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Greater New York charter, relative to the salaries of county officers, subordinates and employees." (No. 2273, Int. No. 1461.)

"An act to authorize the city of Buffalo to issue its bonds for the purpose of refunding one hundred thousand dollars of water fund bonds due and paid October first, nineteen hundred and three, also for refunding one hundred thousand dollars of water fund bonds due and paid in error in the year eighteen hundred and eighty-one." (No. 2824, Int. No. 1931.)

"An act to provide for the continuance of the index systems now employed by the county clerk and the surrogate of Oneida county to cover the entire files of papers in their respective offices and for the removal of the files and records kept in those offices to the new county building in the city of Utica, and to provide for the expenses thereof." (No. 2818, Rec. No. 334.)

"An act to authorize the city of Buffalo to issue its bonds for the purpose of refunding a certain certificate of indebtedness payable July first, nineteen hundred and eight." (No. 2825, Int. No. 1932.)

"An act to legalize the acts of Edward B. Thompson performed as commissioner of deeds." (No. 2826, Int. No. 1933.)

"An act to authorize the city of Buffalo to issue its bonds for the purpose of raising money to construct, maintain, extend, operate, repair and regulate water works." (No. 2823, Int. No. 1930.)

A message from the Governor by the hand of his secretary was received and read, in words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER.

ALBANY, June 1, 1907.

To the Assembly:

I return herewith, without my approval, Assembly bill (No. 2592, Senate reprint No. 1569) entitled "An act to amend the legislative law, generally."

In its main features this seems to be a proper bill. I return it that suitable correction may be made in the twelfth section so as to avoid unnecessary payment of those of the officers mentioned whose attendance prior to the opening of the session may not be needed.

CHARLES E. HUGHES.

On motion of Mr. Merritt, said message, together with said bill, was ordered laid upon the table.

Mr. Moreland moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Allen	Eagleton	Hammond	Mills	Shuttleworth
Averill	Eggleston	Hamn	Mooney	Sinclair
Baumann	Eichhorn	Harawitz	Moreland	Smith A E
Blue	Fay	Harper	Morgan	Smith C
Boshart	Ferguson	Harris	Murphy C F	Stanton
Brooks	Feth	Hastings	Murphy G W	Stevenson
Brough	Filley	Hoey	Nevins	Stratton
Brown	Flanagan	Holmes	Newton	Surplus

Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Fowler	Hubbs	Oliver	Voss
Cole	Francis	Hurd	Parker	Waddell
Colné	Frisbie	Jackson	Patton	Wagner
Conklin	Ganly	Lansing	Phillips	Wainwright
Conrady	Garbe	Lewis	Prentice	Waters
Croak	Geoghagan	Loos	Ralston	Weimert
Cuvillier	Gluck	Lowe	Reece	West
De Groot	Glynn	Lupton	Robinson	Whitley
Dobbs	Goldberg	Maher	Rogers	Whitney F G
Dominy	Green	Marlatt	Schmidt	Whitney G H
Dowling	Gunderman	Matthews	Schoeneck	Winters
Draper	Hackett	Merritt	Schwegler	Yale
Dudley	Hamilton	Miller	Sheridan	Young
Duell				

Mr. Moreland moved that the call of the House be made a close call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the Senate bill (No. 1461, Assembly reprint No. 2839) entitled "An act to amend chapter three hundred and thirty-eight of the Laws of eighteen hundred and ninety-four, entitled 'An act relating to canals, constituting chapter thirteen of the general laws,' in relation to the general powers and duties of the Superintendent of Public Works." (Rec. No. 348.)

On motion of Mr. Moreland, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hammond	McCue	Shuttleworth
Averill	Draper	Hamn	Merritt	Sinclair
Blue	Dudley	Harawitz	Miller	Smith A E
Bohan	Duell	Harper	Mills	Smith C
Boshart	Eagleton	Harris	Mooney	Smith Myron
Brady	Eggleston	Hart	Morgan	Staley
Brooks	Eichhorn	Hastings	Murphy C F	Stern
Brough	Ferguson	Hoey	Murphy G W	Stevenson
Brown	Feth	Holmes	Nevins	Stratton

Buckley	Filley	Hooper	Newton	Surplless
Burhyte	Flanagan	Hubbs	Northrup	Todd
Burns	Foley C F	Hurd	Norton	Volk
Burzynski	Fowler	Jackson	Oliver	Voss
Cavanaugh	Francis	Keller	Parker	Waddell
Chamberlain	Frisbie	Lansing	Patton	Wagner
Cole	Ganly	Lee	Phillips	Walters
Colné	Garbe	Lewis	Prince	Waters
Conklin	Geoghagan	Loos	Ralston	Weber
Conrady	Gluck	Lowe	Reece	Weimert
Croak	Glynn	Lupton	Robinson	West
Cunningham	Goldberg	Maher	Rogers	Whitley
Cuvillier	Gray	Mallon	Schmidt	Whitney F G
De Groot	Green	Mance	Schoeneck	Whitney G H
Dobbs	Gunderman	Marlatt	Schulz	Yale
Dominy	Hackett	Matthews	Sheridan	Young
Donnelly	Hamilton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the bill (No. 2809) entitled "An act to amend chapter six hundred and eighty-three of the Laws of eighteen hundred and ninety-two, entitled 'An act in relation to executive officers, constituting chapter nine of the general laws,' in relation to the salary of the Deputy State Engineer." (Int. No. 1919.)

On motion of Mr. Burns, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Blue	Dudley	Hamm	Miller	Smith C
Bohan	Duell	Harawitz	Mills	Smith Myron
Boshart	Eagleton	Harper	Mooney	Staley
Brady	Eggleston	Harris	Morgan	Stern
Brooks	Eichhorn	Hart	Murphy C F	Stevenson
Brough	Ferguson	Hastings	Murphy G W	Stratton
Brown	Feth	Hoey	Nevins	Surplless

Buckley	Filley	Holmes	Newton	Todd
Burhyte	Flanagan	Hooper	Northrup	Volk
Burns	Foley C F	Hubbs	Norton	Voss
Burzynski	Foley J A	Hurd	Oliver	Waddell
Cavanaugh	Fowler	Jackson	Parker	Wagner
Chamberlain	Francis	Keller	Patton	Walters
Cole	Frisbie	Lansing	Phillips	Waters
Colné	Ganly	Lee	Prince	Weber
Conklin	Garbe	Lewis	Ralston	Weimert
Conrady	Geoghagan	Loos	Reece	West
Croak	Gluck	Lowe	Robinson	Whitley
Cunningham	Glynn	Lupton	Rogers	Whitney F G
Cuvillier	Goldberg	Maher	Schmidt	Whitney G H
De Groot	Gray	Mallon	Schoeneck	Wood
Dobbs	Green	Mance	Schulz	Yale
Dominy	Gunderman	Marlatt	Sheridan	Young
Donnelly	Hackett	Matthews	Shuttleworth	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2799) entitled "An act to confirm certain grants or patents of land under the navigable waters of the State" (Int. No. 1914), said bill having been announced for a second reading,

On motion of Mr. Croak, and by unanimous consent, said bill was made a special order on second and third reading for Tuesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 2780) entitled "An act to amend the Highway Law, in relation to assessment of poll tax." (Int. No. 1904.)

On motion of Mr. Fowler, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Blue	Dudley	Hamn	Miller	Smith C
Bohan	Duell	Harawitz	Mills	Smith Myron

Boshart	Eagleton	Harper	Mooney	Staley
Brady	Eggleston	Harris	Morgan	Stern
Brooks	Eichhorn	Hart	Murphy C F	Stevenson
Brough	Ferguson	Hastings	Murphy G W	Stratton
Brown	Feth	Hoey	Nevins	Surpless
Buckley	Filley	Holmes	Newton	Todd
Burhyte	Flanagan	Hooper	Northrup	Volk
Burns	Foley C F	Hubbs	Norton	Voss
Burzynski	Foley J A	Hurd	Oliver	Waddell
Cavanaugh	Fowler	Jackson	Parker	Wagner
Chamberlain	Francis	Keller	Patton	Walters
Cole	Frisbie	Lansing	Phillips	Waters
Colné	Ganly	Lee	Prince	Weber
Conklin	Garbe	Lewis	Ralston	Weimert
Conrad	Geoghagan	Loos	Reece	West
Croak	Gluck	Lowe	Robinson	Whitley
Cunningham	Glynn	Lupton	Rogers	Whitney F G
Cuvillier	Goldberg	Maher	Schmidt	Whitney G H
De Groot	Gray	Mallon	Schoeneck	Wood
Dobbs	Green	Mance	Schulz	Yale
Dominy	Gunderman	Marlatt	Sheridan	Young
Donnelly	Hackett	Matthews	Shuttleworth	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2837) entitled "An act to legalize, ratify and confirm a special election held in the town of Monroe, county of Orange, and the proposition adopted at such election for the purchase of a stone crushing plant, consisting of steam roller, stone crusher, elevator and bin in such town, and pledging the credit of said town for the payment of the same." (Int. No. 1939.)

On motion of Mr. West, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth]
Averill	Draper	Hammond	Merritt	Sinclair
Blue	Dudley	Hamn	Miller	Smith A E
Bohan	Duell	Harawitz	Mills	Smith C

Boshart	Eagleton	Harper	Mooney	Smith Myron
Brady	Eggleston	Harris	Morgan	Staley
Brooks	Eichhorn	Hart	Murphy C F	Stern
Brough	Ferguson	Hastings	Murphy G W	Stevenson
Brown	Feth	Hoey	Nevins	Stratton
Buckley	Filley	Holmes	Newton	Surpless
Burhyte	Flanagan	Hooper	Northrup	Todd
Burns	Foley C F	Hubbs	Norton	Volk
Burzynski	Foley J A	Hurd	Oliver	Voss
Cavanaugh	Fowler	Jackson	Parker	Waddell
Chamberlain	Francis	Keller	Patton	Wagner
Cole	Frisbie	Lansing	Phillips	Walters
Colné	Ganly	Lee	Prince	Waters
Conklin	Garbe	Lewis	Ralston	Weber
Conrady	Geoghagan	Loos	Reece	Weimert
Croak	Gluck	Lowe	Robinson	West
Cunningham	Glynn	Lupton	Rogers	Whitley
Cuvillier	Goldberg	Maher	Schmidt	Whitney F G
De Groot	Gray	Mallon	Schoeneck	Whitney G H
Dobbs	Green	Mance	Schulz	Yale
Dominy	Gunderman	Marlatt	Sheridan	Young
Donnelly	Hackett	Matthews		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1629) entitled "An act to authorize the Comptroller to hear and determine the application of Abraham G. DeWitt for the cancellation of tax sales made in the years eighteen hundred and ninety-five and nineteen hundred, of lot number five, eastern one-half of great lot number eight of the Hurley patentee woods, fourteen and one-half acres, in Ulster county" (Rec. No. 434).

On motion of Mr. Fowler, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Blue	Dudley	Hamn	Miller	Smith A E
Bohan	Duell	Harawitz	Mills	Smith C

Boshart	Eagleton	Harper	Mooney	Smith Myron
Brady	Eggleston	Harris	Morgan	Staley
Brooks	Eichhorn	Hart	Murphy C F	Stern
Brough	Ferguson	Hastings	Murphy G W	Stevenson
Brown	Feth	Hoey	Nevins	Stratton
Buckley	Filley	Holmes	Newton	Surpless
Burhyte	Flanagan	Hooper	Northrup	Todd
Burns	Foley C F	Hubbs	Norton	Volk
Burzynski	Foley J A	Hurd	Oliver	Voss
Cavanaugh	Fowler	Jackson	Parker	Waddeli
Chamberlain	Francis	Keller	Patton	Wagner
Cole	Frisbie	Lansing	Phillips	Walters
Colné	Ganly	Lee	Prince	Waters
Conklin	Garbe	Lewis	Ralston	Weber
Conrady	Geoghagan	Loos	Reece	Weimert
Croak	Gluck	Lowe	Robinson	West
Cunningham	Glynn	Lupton	Rogers	Whitley
Cuvillier	Goldberg	Maher	Schmidt	Whitney F G
De Groot	Gray	Mallon	Schoeneck	Whitney G H
Dobbs	Green	Mance	Schulz	Yale
Dominy	Gunderman	Marlatt	Sheridan	Young
Donnelly	Hackett	Matthews		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1702) entitled "An act to amend the Highway Law, in relation to State aid in towns under the money system." (Rec. No. 430.)

On motion of Mr. Wood, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Blue	Dudley	Hamn	Miller	Smith A E
Bohan	Duell	Harawitz	Mills	Smith C
Boshart	Eagleton	Harper	Mooney	Smith Myron
Brady	Eggleston	Harris	Morgan	Staley
Brooks	Eichhorn	Hart	Murphy C F	Stern

Brough	Ferguson	Hastings	Murphy G W	Stevenson
Brown	Feth	Hoey	Nevins	Stratton
Buckley	Filley	Holmes	Newton	Surpluss
Burhyte	Flanagan	Hooper	Northrup	Todd
Burns	Foley C F	Hubbs	Norton	Volk
Burzynski	Foley J A	Hurd	Oliver	Voss
Cavanaugh	Fowler	Jackson	Parker	Waddell
Chamberlain	Francis	Keller	Patton	Wagner
Cole	Frisbie	Lansing	Phillips	Walters
Colné	Ganly	Lee	Prince	Waters
Conklin	Garbe	Lewis	Ralston	Weber
Conrady	Geoghagan	Loos	Reece	Weimert
Croak	Gluck	Lowe	Robinson	West
Cunningham	Glynn	Lupton	Rogers	Whitley
Cuvillier	Goldberg	Maher	Schmidt	Whitney F G
De Groot	Gray	Mallon	Schoeneck	Whitney G H
Dobbs	Green	Mance	Schulz	Yale
Dominy	Gunderman	Marlatt	Sheridan	Young
Donnelly	Hackett	Matthews		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1703) entitled "An act to amend chapter four hundred and sixty-nine of the Laws of nineteen hundred and six, entitled 'An act to provide for issuing of bonds of the State for the improvement of highways, and making appropriation therefor,' generally." (Rec. No. 431.)

On motion of Mr. Wood, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Sinclair
Averill	Draper	Hammond	Merritt	Smith A F
Blue	Dudley	Hamn	Miller	Smith C
Bohan	Duell	Harawitz	Mills	Smith Myroa
Boshart	Eagleton	Harper	Mooney	Staley
Brady	Eggleston	Harris	Morgan	Stern
Brooks	Eichhorn	Hart	Murphy C F	Stevenson

Brough	Ferguson	Hastings	Murphy G W	Stratton
Brown	Feth	Hoey	Nevins	Surpless
Buckley	Filley	Holmes	Newton	Todd
Burhyte	Flanagan	Hooper	Northrup	Volk
Burns	Foley C F	Hubbs	Norton	Voss
Burzynski	Foley J A	Hurd	Oliver	Waddell
Cavanaugh	Fowler	Jackson	Parker	Wagner
Chamberlain	Francis	Keller	Patton	Walters
Cole	Frisbie	Lansing	Phillips	Waters
Colné	Ganly	Lee	Prince	Weber
Conklin	Garbe	Lewis	Ralston	Weimert
Conrady	Geoghagan	Loos	Reece	West
Croak	Gluck	Lowe	Robinson	Whitley
Cunningham	Glynn	Lupton	Rogers	Whitney F G
Cuvillier	Goldberg	Maher	Schmidt	Whitney G H
De Groot	Gray	Mallón	Schoeneck	Wood
Dobbs	Green	Mance	Schulz	Yale
Dominy	Gunderman	Marlatt	Sheridan	Young
Donnelly	Hackett	Matthews	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1686) entitled "An act to establish a State probation commission and defining its powers and duties" (Rec. No. 435). Said bill having been announced for a second reading,

On motion of Mr. Moreland, and by unanimous consent, said bill was made a special order on second and third reading for Tuesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the Senate bill (No. 1194) entitled "An act to amend the Town Law, relating to the duties of supervisors" (Rec. No. 342). Said bill having been announced for a second reading,

On motion of Mr. Moreland, and by unanimous consent, said bill was made a special order on second and third reading for Tuesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the Senate bill (No. 1572) entitled "An act to amend the Forest, Fish and Game Law in relation to set lines and tip-ups on Big Sandy pond in Oswego county." (Rec. No. 399.)

On motion of Mr. F. G. Whitney, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Blue	Dudley	Hamn	Miller	Smith C
Bohan	Duell	Harawitz	Mills	Smith Myron
Boshart	Eagleton	Harper	Mooney	Staley
Brady	Eggleston	Harris	Morgan	Stern
Brooks	Eichhorn	Hart	Murphy C F	Stevenson
Brough	Ferguson	Hastings	Murphy G W	Stratton
Brown	Feth	Hoey	Nevins	Surpless
Buckley	Filley	Holmes	Newton	Todd
Burhyte	Flanagan	Hooper	Northrup	Volk
Burns	Foley C F	Hubbs	Norton	Voss
Burzynski	Foley J A	Hurd	Oliver	Waddell
Cavanaugh	Fowler	Jackson	Parker	Wagner
Chamberlain	Francis	Keller	Patton	Walters
Cole	Frisbie	Lansing	Phillips	Waters
Colné	Ganly	Lee	Prince	Weber
Conklin	Garbe	Lewis	Ralston	Weimert
Conrady	Geoghagan	Loos	Reece	West
Croak	Gluck	Lowe	Robinson	Whitley
Cunningham	Glynn	Lupton	Rogers	Whitney F G
Cuvillier	Goldberg	Maher	Schmidt	Whitney G H
De Groot	Gray	Mallon	Schoeneck	Wood
Dobbs	Green	Mance	Schulz	Yale
Dominy	Gunderman	Marlatt	Sheridan	Young
Donnelly	Hackett	Matthews	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1445) entitled "An act to amend the charter of the city of Fulton, in relation to providing for a hospital fund by taxation." (Rec. No. 381.)

On motion of Mr. F. G. Whitney, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Blue	Dudley	Hamn	Miller	Smith A E
Bohan	Duell	Harawitz	Mills	Smith C
Boshart	Eagleton	Harper	Mooney	Smith Myron
Brady	Eggleston	Harris	Morgan	Staley
Brooks	Eichhorn	Hart	Murphy C F	Stern
Brough	Ferguson	Hastings	Murphy G W	Stevenson
Brown	Feth	Hoey	Nevins	Stratton
Buckley	Filley	Holmes	Newton	Surpless
Burhyte	Flanagan	Hooper	Northrup	Todd
Burns	Foley C F	Hubbs	Norton	Volk
Burzynski	Foley J A	Hurd	Oliver	Voss
Cavanaugh	Fowler	Jackson	Parker	Waddell
Chamberlain	Francis	Keller	Patton	Wagner
Cole	Frisbie	Lansing	Phillips	Walters
Colné	Ganly	Lee	Prince	Waters
Conklin	Garbe	Lewis	Ralston	Weber
Conrady	Geoghagan	Loos	Reece	Weimert
Croak	Gluck	Lowe	Robinson	West
Cunningham	Glynn	Lupton	Rogers	Whitley
Cuvillier	Goldberg	Maher	Schmidt	Whitney F G
De Groot	Gray	Mallon	Schoeneck	Whitney G H
Dobbs	Green	Mance	Schulz	Yale
Dominy	Gunderman	Marlatt	Sheridan	Young
Donnelly	Hackett	Matthews		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1677) entitled "An act to amend the Code of Civil Procedure in relation to awarding costs to an unsuccessful contestant of a will" (Rec. No. 456). Said bill having been announced for a second reading,

On motion of Mr. Moreland, and by unanimous consent, said bill was made a special order on second and third reading for Tuesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 2838) entitled "An act to amend chapter two hundred and ninety-four of the Laws of eighteen hundred and sixty-nine, entitled 'An act to incorporate the fire department of the city of Binghamton,' relative to appointment of officers and salaries of treasurer and clerk." (Int. No. 1496.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Blue	Dudley	Hamn	Miller	Smith C
Bohan	Duell	Harawitz	Mills	Smith Myron
Boshart	Eagleton	Harper	Mooney	Staley
Brady	Eggleston	Harris	Morgan	Stern
Brooks	Eichhorn	Hart	Murphy C F	Stevenson
Brough	Ferguson	Hastings	Murphy G W	Stratton
Brown	Feth	Hoe	Nevins	Surpluss
Buckley	Filley	Holmes	Newton	Todd
Burhyte	Flanagan	Hooper	Northrup	Volk
Burns	Foley C F	Hubbs	Norton	Voss
Burzynski	Foley J A	Hurd	Oliver	Waddell
Cavanaugh	Fowler	Jackson	Parker	Wagner
Chamberlain	Francis	Keller	Patton	Walters
Cole	Frisbie	Lansing	Phillips	Waters
Colné	Ganly	Lee	Prince	Weber
Conklin	Garbe	Lewis	Ralston	Weimert
Conrady	Geoghagan	Loos	Reece	West
Croak	Gluck	Lowe	Robinson	Whitley
Cunningham	Glynn	Lupton	Rogers	Whitney F G
Ouvillier	Goldberg	Maher	Schmidt	Whitney G H
De Groot	Gray	Mallon	Schoeneck	Yale
Dobbs	Green	Mance	Schulz	Wood
Dominy	Gunderman	Marlatt	Sheridan	Young
Donnelly	Hackett	Matthews	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and requests the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the bill (No. 2841) entitled "An act making appropriations for the support of government." (Int. No. 710.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 1

Those who voted in the affirmative were:

Allen	Dowling	Hammond	Merritt	Sinclair
Averill	Draper	Hamn	Miller	Smith A E
Blue	Dudley	Harawitz	Mills	Smith C
Bohan	Duell	Harper	Mooney	Smith Myron
Boshart	Eagleton	Harris	Morgan	Staley
Brady	Eggleston	Hart	Murphy C F	Stern
Brooks	Eichhorn	Hastings	Murphy G W	Stevenson
Brough	Ferguson	Hoey	Nevins	Stratton
Brown	Feth	Holmes	Newton	Surpluss
Buckley	Filley	Hooper	Northrup	Todd
Burhyte	Flanagan	Hubbs	Norton	Volk
Burns	Foley J A	Hurd	Oliver	Voss
Burzynski	Fowler	Jackson	Parker	Waddell
Cavanaugh	Francis	Keller	Patton	Wagner
Chamberlain	Frisbie	Lansing	Phillips	Walters
Cole	Ganly	Lee	Prince	Waters
Colné	Garbe	Lewis	Ralston	Weber
Conklin	Geoghagan	Loos	Reece	Weimert
Conrady	Gluck	Lowe	Robinson	West
Croak	Glynn	Lupton	Rogers	Whitley
Cunningham	Goldberg	Maher	Schmidt	Whitney F G
Cuvillier	Gray	Mallon	Schoeneck	Whitney G H
De Groot	Green	Mance	Schulz	Wood
Dobbs	Gunderman	Marlatt	Sheridan	Yale
Dominy	Hackett	Matthews	Shuttleworth	Young
Donnelly	Hamilton	McCue		

In the negative:

Foley C F

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the bill (No. 2840) entitled "An act to amend the Forest, Fish and Game Law, relative to licenses" (Int. No. 244). Said bill having been announced for a third reading,

On motion of Mr. Merritt, and by unanimous consent, said bill was made a special order on third reading for Tuesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 2855) entitled "An act to amend the Town Law, in relation to assessors' clerks in certain towns of the county of Nassau." (Int. No. 1629.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Blue	Dudley	Hamn	Miller	Smith C
Bohan	Duell	Harawitz	Mills	Smith Myron
Boshart	Eagleton	Harper	Mooney	Staley
Brady	Eggleston	Harris	Morgan	Stern
Brooks	Eichhorn	Hart	Murphy C F	Stevenson
Brough	Ferguson	Hastings	Murphy G W	Stratton
Brown	Feth	Hoey	Nevins	Surplless
Buckley	Filley	Holmes	Newton	Todd
Burhyte	Flanagan	Hooper	Northrup	Volk
Burns	Foley C F	Hubbs	Norton	Voss
Burzynski	Foley J A	Hurd	Oliver	Waddell
Cavanaugh	Fowler	Jackson	Parker	Wagner
Chamberlain	Francis	Keller	Patton	Walters
Cole	Frisbie	Lansing	Phillips	Waters
Colné	Ganly	Lee	Prince	Weber
Conklin	Garbe	Lewis	Ralston	Weimert
Conrady	Geoghagan	Loos	Reece	West
Croak	Gluck	Lowe	Robinson	Whitley
Cunningham	Glynn	Lupton	Rogers	Whitney F G
Cuvillier	Goldberg	Maher	Schmidt	Whitney G H
De Groot	Gray	Mallon	Schoeneck	Wood
Dobbs	Green	Mance	Schulz	Yale
Dominy	Gunderman	Marlatt	Sheridan	Young
Donnelly	Hackett	Matthews	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order; being the bill (No. 2856) entitled "An act to amend the Primary Election Law, in relation to excepting first, second and certain third-class cities from special enrollment, and changing date when enrollment books shall be delivered." (Int. No. 1082.)

Said bill was then read the third time, having been printed and

upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Blue	Dudley	Hamn	Miller	Smith A E
Bohan	Duell	Harawitz	Mills	Smith C
Boshart	Eagleton	Harper	Mooney	Smith Myron
Brady	Eggleston	Harris	Morgan	Staley
Brooks	Eichhorn	Hart	Murphy C F	Stern
Brough	Ferguson	Hastings	Murphy G W	Stevenson
Brown	Feth	Hoey	Nevins	Stratton
Buckley	Filley	Holmes	Newton	Surpluss
Burhyte	Flanagan	Hooper	Northrup	Todd
Burns	Foley C F	Hubbs	Norton	Volk
Burzynski	Foley J A	Hurd	Oliver	Voss
Cavanaugh	Fowler	Jackson	Parker	Waddell
Chamberlain	Francis	Keller	Patton	Wagner
Cole	Frisbie	Lansing	Phillips	Walters
Colné	Ganly	Lee	Prince	Waters
Conklin	Garbe	Lewis	Ralston	Weber
Conrady	Geoghagan	Loos	Reece	Weimert
Croak	Gluck	Lowe	Robinson	West
Cunningham	Glynn	Lupton	Rogers	Whitley
Cuvillier	Goldberg	Maher	Schmidt	Whitney F G
De Groot	Gray	Mallon	Schoeneck	Whitney G H
Dobbs	Green	Mance	Schulz	Yale
Dominy	Gunderman	Marlatt	Sheridan	Young
Donnelly	Hackett	Matthews		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the bill (No. 2857) entitled "An act to amend chapter five hundred and ninety-three of the Laws of nineteen hundred and five, entitled 'An act to revise the charter of the city of Johnstown,' generally." (Int. No. 1253.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Blue	Dudley	Hamn	Miller	Smith A E
Bohan	Duell	Harawitz	Mills	Smith C
Boshart	Eagleton	Harper	Mooney	Smith Myron
Brady	Eggleston	Harris	Morgan	Staley
Brooks	Eichhorn	Hart	Murphy C F	Stern
Brough	Ferguson	Hastings	Murphy G W	Stevenson
Brown	Feth	Hoey	Nevins	Stratton
Buckley	Filley	Holmes	Newton	Surpluss
Burhyte	Flanagan	Hooper	Northrup	Todd
Burns	Foley C F	Hubbs	Norton	Volk
Burzynski	Foley J A	Hurd	Oliver	Voss
Cavanaugh	Fowler	Jackson	Parker	Waddell
Chamberlain	Francis	Keller	Patton	Wagner
Cole	Frisbie	Lansing	Phillips	Walters
Colné	Ganly	Lee	Prince	Waters
Conklin	Garbe	Lewis	Ralston	Weber
Conrady	Geoghagan	Loos	Rreece	Weimert
Croak	Gluck	Lowe	Robinson	West
Cunningham	Glynn	Lupton	Rogers	Whitley
Cuvillier	Goldberg	Maher	Schmidt	Whitney F G
De Groot	Gray	Mallon	Schoeneck	Whitney G H
Dobbs	Green	Mance	Schulz	Yale
Dominy	Gunderman	Marlatt	Sheridan	Young
Donnelly	Hackett	Matthews		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the Senate bill (No. 531, Assembly reprint No. 2376) entitled "An act to amend the Greater New York charter, in relation to the amount of annual pension to retiring members of the fire department." (Rec. No. 86.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Blue	Dudley	Hamn	Miller	Smith A E
Bohan	Duell	Harawitz	Mills	Smith C
Bosbart	Eagleton	Harper	Mooney	Smith Myron
Brady	Eggleston	Harris	Morgan	Staley
Brooks	Eichhorn	Hart	Murphy C F	Stern
Brough	Ferguson	Hastings	Murphy G W	Stevenson
Brown	Feth	Hoey	Nevins	Stratton
Buckley	Filley	Holmes	Newton	Surpless
Burhyte	Flanagan	Hooper	Northrup	Todd
Burns	Foley C F	Hubbs	Norton	Volk
Burzynski	Foley J A	Hurd	Oliver	Voss
Cavanaugh	Fowler	Jackson	Parker	Waddell
Chamberlain	Francis	Keller	Patton	Wagner
Cole	Frisbie	Lansing	Phillips	Walters
Colne	Ganly	Lee	Prince	Waters
Conklin	Garbe	Lewis	Ralston	Weber
Conrady	Geoghagan	Loos	Reece	Weimert
Croak	Gluck	Lowe	Robinson	West
Cunningham	Glynn	Lupton	Rogers	Whitley
Cuvillier	Goldberg	Maher	Schmidt	Whitney F G
De Groot	Gray	Mallon	Schoeneck	Whitney G H
Dobbs	Green	Mance	Schulz	Yale
Dominy	Gunderman	Marlatt	Sheridan	Young
Donnelly	Hackett	Matthews		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the bill (No. 2356, Senate reprint No. 1492) entitled "An act to amend the Public Health Law by defining optometry and regulating the practice thereof" (Int. No. 452). Said bill having been announced for a third reading,

On motion of Mr. Oliver, and by unanimous consent, said bill was made a special order on third reading for Tuesday next, immediately after the reading of the journal.

The Senate returned the Assembly bill (No. 1203, Senate reprint No. 1619, Int. No. 1039) entitled "An act to authorize the Comptroller of the State to hear and determine the application of Arthur Dreyer for the cancellation of a tax sale made in the year eighteen hundred and ninety-five of lot number twenty on

map of property on the north shore of Staten island belonging to John C. Thompson, situated in the former town of Northfield, now the Third ward of the borough of Richmond, in Richmond county," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, strike out all of title, and also strike out all of said bill following, and insert the following:

AN ACT to authorize the comptroller of the state to hear and determine the application of Arthur Dreyer for the cancellation of a tax sale made in the year eighteen hundred and ninety-five of lot number twenty on map of property on the north shore of Staten island belonging to John C. Thompson, situated in the former town of Northfield, now the third ward of the borough of Richmond, in Richmond county.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Jurisdiction is hereby conferred upon the comptroller of the state of New York to hear and determine the application of Arthur Dreyer for cancellation of a tax sale made by said comptroller in the year eighteen hundred and ninety-five of lot number twenty on map of property on the north shore of Staten island belonging to John C. Thompson, situated in the former town of Northfield, now the third ward of the borough of Richmond, Richmond county, and the comptroller is hereby authorized to act upon said application in the same manner and with the same effect as if the application were made by the purchaser at the tax sale within the time prescribed by law. Said application must be filed with the comptroller within one year from the passage of this act and shall be heard and granted only upon the grounds specified in section one hundred thirty-two of the tax law and subject to the payment of such of the taxes levied against the land as shall not have been proven invalid or to have been paid in due time to the proper authorities.

§ 2. Prior to the hearing of said application and at least fourteen days before the date thereof, the applicant shall cause notice of such hearing to be served upon the attorney-general and upon the forest, fish and game commissioner.

§ 3. This act shall take effect immediately.

Mr. Croak moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the

desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Blue	Dudley	Hamn	Miller	Smith A E
Bohan	Duell	Harawitz	Mills	Smith C
Boshart	Eagleton	Harper	Mooney	Smith Myron
Brady	Eggleston	Harris	Morgan	Staley
Brooks	Eichhorn	Hart	Murphy C F	Stern
Brough	Ferguson	Hastings	Murphy G W	Stevenson
Brown	Feth	Hoey	Nevins	Stratton
Buckley	Filley	Holmes	Newton	Surplless
Burhyte	Flanagan	Hooper	Northrup	Todd
Burns	Foley C F	Hubbs	Norton	Volk
Burzynski	Foley J A	Hurd	Oliver	Voss
Cavanaugh	Fowler	Jackson	Parker	Waddell
Chamberlain	Francis	Keller	Patton	Wagner
Cole	Frisbie	Lansing	Phillips	Walters
Colné	Ganly	Lee	Prince	Waters
Conklin	Garbe	Lewis	Ralston	Weber
Conrady	Geoghagan	Loos	Reece	Weimert
Croak	Gluck	Lowe	Robinson	West
Cunningham	Glynn	Lupton	Rogers	Whitley
Cuvillier	Goldberg	Maher	Schmidt	Whitney F G
De Groot	Gray	Mallon	Schoeneck	Whitney G H
Dobbs	Green	Mance	Schulz	Yale
Dominy	Gunderman	Marlatt	Sheridan	Young
Donnelly	Hackett	Matthews		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1209, Senate reprint No. 1784, Int. No. 1045) entitled "An act to amend the Code of Civil Procedure, in relation to the salary of the deputy clerk of the Court of Claims," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 6, after "clerk" strike out "four thousand" and insert "three thousand five hundred".

Same page, line 8; after "sand" strike out "six hundred".

On page 2, line 9, after "effect" strike out "immediately" and insert "October first, nineteen hundred and seven."

Mr. Merritt moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Blue	Dudley	Hamn	Miller	Smith A E
Bohan	Duell	Harawitz	Mills	Smith C
Boshart	Eagleton	Harper	Mooney	Smith Myron
Brady	Eggleston	Harris	Morgan	Staley
Brooks	Eichhorn	Hart	Murphy C F	Stern
Brough	Ferguson	Hastings	Murphy G W	Stevenson
Brown	Feth	Hoey	Nevins	Stratton
Buckley	Filley	Holmes	Newton	Surpluss
Burhyte	Flanagan	Hooper	Northrup	Todd
Burns	Foley C F	Hubbs	Norton	Volk
Burzynski	Foley J A	Hurd	Oliver	Voss
Cavanaugh	Fowler	Jackson	Parker	Waddell
Chamberlain	Francis	Keller	Patton	Wagner
Cole	Frisbie	Lansing	Phillips	Walters
Colné	Ganly	Lee	Prince	Waters
Conklin	Garbe	Lewis	Ralston	Weber
Conrady	Geoghagan	Loos	Reece	Weimert
Croak	Gluck	Lowe	Robinson	West
Cunningham	Glynn	Lupton	Rogers	Whitley
Cuvillier	Goldberg	Maher	Schmidt	Whitney F G
De Groot	Gray	Mallon	Schoeneck	Whitney G H
Dobbs	Green	Mance	Schulz	Yale
Dominy	Gunderman	Marlatt	Sheridan	Young
Donnelly	Hackett	Matthews		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2113, Senate reprint No. 1620, Int. No. 526) entitled "An act to amend chapter six hundred and nineteen of the Laws of nineteen hundred and six, entitled 'An act to authorize the Comptroller of the State of New York to hear and determine the application of J. G. Stevens for the cancellation of the tax sale of eighteen hundred and seventy-seven of a portion of lot number fifty-nine of township

number six, in the Old Military Tract in the town of Ellenburgh, county of Clinton,' in relation to the application of Charles Stevens, successor in interest of J. G. Stevens," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 1 of title, after the word "amend" strike out "section one of".

On page 1, line 1, strike out all printed matter in said bill, and insert the following:

"Section 1. Jurisdiction is hereby conferred upon the comptroller of the state of New York to hear and determine the application of Charles G. Stevens successor in interest to J. G. Stevens for cancellation of the tax sales made by said comptroller in the year eighteen hundred and seventy-seven of that portion of lot number fifty-nine, township number six, Old Military Tract, in the town of Ellenburg, Clinton county, and the comptroller is hereby authorized to act upon said application in the same manner and with the same effect as if the application were made by the purchaser at the tax sale within the time prescribed by law. Said application must be filed with the comptroller within one year from the passage of this act and shall be heard and granted only upon the grounds specified in section one hundred thirty-two of the tax law and subject to the payment of such of the taxes levied against the land as shall not have been proven invalid or to have been paid in due time to the proper authorities."

Section 2 of said chapter is hereby amended to read as follows:

"§ 2. Prior to the hearing of said application and at least fourteen days before the date thereof, the applicant shall cause notice of such hearing to be served upon the attorney-general and upon the forest, fish and game commissioner.

"§ 3. This act shall take effect immediately."

Mr. Dominy moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Blue	Dudley	Hamn	Miller	Smith A E
Bohan	Duell	Harawitz	Mills	Smith C
Boshart	Eagleton	Harper	Mooney	Smith Myron
Brady	Eggleston	Harris	Morgan	Staley
Brooks	Eichhorn	Hart	Murphy C F	Stern
Brough	Ferguson	Hastings	Murphy G W	Stevenson
Brown	Feth	Hoey	Nevins	Stratton
Buckley	Filley	Holmes	Newton	Surpless
Burhyte	Flanagan	Hooper	Northrup	Todd
Burns	Foley C F	Hubbs	Norton	Volk
Burzynski	Foley J A	Hurd	Oliver	Voss
Cavanaugh	Fowler	Jackson	Parker	Waddell
Chamberlain	Francis	Keller	Patton	Wagner
Cole	Frisbie	Lansing	Phillips	Walters
Colné	Ganly	Lee	Prince	Waters
Conklin	Garbe	Lewis	Ralston	Weber
Conrady	Geoghagan	Loos	Reece	Weimert
Croak	Gluck	Lowe	Robinson	West
Cunningham	Glynn	Lupton	Rogers	Whitley
Cuvilier	Goldberg	Maher	Schmidt	Whitney F G
De Groot	Gray	Mallon	Schoeneck	Whitney G H
Dobbs	Green	Mance	Schulz	Yale
Dominy	Gunderman	Marlatt	Sheridan	Young
Donnelly	Hackett	Matthews		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2414, Senate reprint No. 1578, Int. No. 1720) entitled "An act to amend section one hundred and ninety-three of chapter two hundred and seventy-five of the Laws of eighteen hundred and ninety-nine, entitled 'An act to revise the charter of the city of Gloversville,' in relation to the purchase of school sites, and the erection and enlargement of school buildings; tax elections; the borrowing of money and issue and sale of bonds," with a message that they have concurred in the passage of the same, with the following amendments:

On page 3, line 20, strike out the word "election" and insert the word "section".

On page 5, line 23, strike out the word "place" and insert the word "effect".

Mr. Mills moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Blue	Dudley	Hamn	Miller	Smith A E
Bohan	Duell	Harawitz	Mills	Smith C
Boshart	Eagleton	Harper	Mooney	Smith Myron
Brady	Eggleston	Harris	Morgan	Staley
Brooks	Eichhorn	Hart	Murphy C F	Stern
Brough	Ferguson	Hastings	Murphy G W	Stevenson
Brown	Feth	Hoey	Nevins	Stratton
Buckley	Filley	Holmes	Newton	Surpluss
Burhyte	Flanagan	Hooper	Northrup	Todd
Burns	Foley C F	Hubbs	Norton	Volk
Burzynski	Foley J A	Hurd	Oliver	Voss
Cavanaugh	Fowler	Jackson	Parker	Waddell
Chamberlain	Francis	Keller	Patton	Wagner
Cole	Frisbie	Lansing	Phillips	Walters
Colné	Ganly	Lee	Prince	Waters
Conklin	Garbe	Lewis	Ralston	Weber
Conrady	Geoghagan	Loos	Reece	Weimert
Croak	Gluck	Lowe	Robinson	West
Cunningham	Glynn	Lupton	Rogers	Whitley
Cuvillier	Goldberg	Maher	Schmidt	Whitney F G
De Groot	Gray	Mallon	Schoeneck	Whitney G H
Dobbs	Green	Mance	Schulz	Yale
Dominy	Gunderman	Marlatt	Sheridan	Young
Donnelly	Hackett	Matthews		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1142, Senate re-print No. 1718, Int. No. 985) entitled "An act relating to retirement of veterans employed by the State or any civil division thereof; granting pensions to veterans and providing for the payment thereof," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 1, after "Every" strike out "honorably discharged". Same page and line, after "marine" insert "honorably discharged". Same page, line 2, after "war" insert "who served therein at least ninety days, and ". Same page, line 4, after

"civil" insert "or military". Same page and line, after "state" strike out "of New York". Same page, line 6, after "years" strike out "or thereafter, upon his own request, or, upon" and insert in lieu thereof "and".

On page 2, line 1, after "city" insert "county,". Same page, line 2, after "retirement," strike out "or disability,". Same page, line 10, after "city" insert "county". Same page, line 11, after "state" strike out the period and insert a comma, and also the following: "but no person who shall become entitled to pension under this act shall receive the same until he shall surrender his right to any other pension to which he may be entitled from the state or any city, county, town or village thereof." Same page, lines 17-18, after "any" strike out "municipality" and insert "city, county, town or village,".

Mr. Burns moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Hamilton	McCue	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Blue	Dudley	Hamn	Miller	Smith C
Bohan	Duell	Harawitz	Mills	Smith Myron
Boshart	Eagleton	Harper	Mooney	Staley
Brady	Eggleston	Harris	Morgan	Stern
Brooks	Eichhorn	Hart	Murphy C F	Stevenson
Brough	Ferguson	Hastings	Murphy G W	Stratton
Brown	Feth	Hoey	Nevins	Surpless
Buckley	Filley	Holmes	Newton	Todd
Burhyte	Flanagan	Hooper	Northrup	Volk
Burns	Foley C F	Hubbs	Norton	Voss
Burzynski	Foley J A	Hurd	Oliver	Waddell
Cavanaugh	Fowler	Jackson	Parker	Wagner
Chamberlain	Francis	Keller	Patton	Walters
Cole	Frisbie	Lansing	Phillips	Waters
Colné	Ganly	Lee	Prince	Weber
Conklin	Garbe	Lewis	Ralston	Weimert
Conrady	Geoghagan	Loos	Reece	West
Croak	Gluck	Lowe	Robinson	Whitley
Cunningham	Glynn	Lupton	Rogers	Whitney F G
Cuvillier	Goldberg	Maher	Schmidt	Whitney G H
De Groot	Gray	Mallon	Schoeneck	Wood
Dobbs	Green	Mance	Schulz	Yale
Dominy	Gunderman	Marlatt	Sheridan	Young
Donnelly	Hackett	Matthews	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2152, Senate re-print No. 1690, Int. No. 1593) entitled "An act to amend the Tax Law, and providing for the assessment as a special franchise by the State Board of Tax Commissioners of an occupancy of the streets, highways and public places, where such occupancy has not been ratified by grant from public authority," with a message that they have concurred in the passage of the same, with the following amendment:

On page 2, after line 16, insert " Nothing herein contained shall be construed or shall operate to grant or to create any special franchise or to give or create any right thereto or any right to use or to occupy any street, highway or public place or any part thereof or to revive, extend or validate in any way any grant, franchise or charter so to do, or to waive and forfeiture; nor shall anything herein contained be construed or operate, except for the purposes of this act, to fix or tend to fix the value of any right to use or occupy any street, highway or public place or any part thereof."

Mr. Phillips moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Blue	Dudley	Hamn	Miller	Smith A E
Bohan	Duell	Harawitz	Mills	Smith C
Boshart	Eagleton	Harper	Mooney	Smith Myron
Brady	Eggleston	Harris	Morgan	Staley
Brooks	Eichhorn	Hart	Murphy C F	Stern
Brough	Ferguson	Hastings	Murphy G W	Stevenson
Brown	Feth	Hoey	Nevins	Stratton
Buckley	Filley	Holmes	Newton	Surpluss
Burhyte	Flanagan	Hooper	Northrup	Todd

Burns	Foley C F	Hubbs	Norton	Volk
Burzynski	Foley J A	Hurd	Oliver	Voss
Cavanaugh	Fowler	Jackson	Parker	Waddell
Chamberlain	Francis	Keller	Patton	Wagner
Cole	Frisbie	Lansing	Phillips	Walters
Colné	Ganly	Lee	Prince	Waters
Conklin	Garbe	Lewis	Ralston	Weber
Conrady	Geoghagan	Loos	Reece	Weimert
Croak	Gluck	Lowe	Robinson	West
Cunningham	Glynn	Lupton	Rogers	Whitley
Cuvillier	Goldberg	Maher	Schmidt	Whitney F G
De Groot	Gray	Mallon	Schoeneck	Whitney G H
Dobbs	Green	Mance	Schulz	Yale
Dominy	Gunderman	Marlatt	Sheridan	Young
Donnelly	Hackett	Matthews		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the Assembly bill (No. 2378, Senate re-print No. 1606, Int. No. 1447) entitled "An act to amend the Greater New York charter, relative to vacations of employees whose compensation is fixed by the day or hour," with a message that they have concurred in the passage of the same, with the following amendment:

On page 2, line 5, after the word "for" strike out "upwards of" and insert in lieu thereof "at least".

Mr. Hoey moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Blue	Dudley	Hamn	Miller	Smith C
Bohan	Duell	Harawitz	Mills	Smith Myron
Boshart	Eagleton	Harper	Mooney	Staley
Brady	Eggleston	Harris	Morgan	Stern
Brooks	Eichhorn	Hart	Murphy C F	Stevenson
Brough	Ferguson	Hastings	Murphy G W	Stratton
Brown	Feth	Hoey		Surpless
Buckley	Filley	Holmes	Newton	Todd

Burhyte	Flanagan	Hooper	Northrup	Volk
Burns	Foley C F	Hubbs	Norton	Voss
Burzynski	Foley J A	Hurd	Oliver	Waddell
Cavanaugh	Fowler	Jackson	Parker	Wagner
Chamberlain	Francis	Keller	Patton	Walters
Cole	Frisbie	Lansing	Phillips	Waters
Colné	Ganly	Lee	Prince	Weber
Conklin	Garbe	Lewis	Ralston	Weimert
Conrady	Geoghagan	Loos	Reece	West
Croak	Gluck	Lowe	Robinson	Whitley
Cunningham	Glynn	Lupton	Rogers	Whitney F G
Cuvillier	Goldberg	Maher	Schmidt	Whitney G H
De Groot	Gray	Mallon	Schoeneck	Wood
Dobbs	Green	Mance	Schulz	Yale
Dominy	Gunderman	Marlatt	Sheridan	Young
Donnelly	Hackett	Matthews	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the Assembly bill (No. 2250, Senate reprint, No. 1761, Int. No. 798) entitled "An act to provide for the construction of a stone or concrete retaining wall on the northerly side of Oneida creek in the village of Oneida Castle and making an appropriation therefor," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 2, before "to" strike out "and directed". Same page, line 4, after "protecting" insert "the".

Mr. Lewis moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Blue	Dudley	Hamn	Miller	Smith A E
Bohan	Duell	Harawitz	Mills	Smith C
Boshart	Eagleton	Harper	Mooney	Smith Myron
Brady	Eggleston	Harris	Morgan	Staley

Brooks	Eichhorn	Hart	Murphy C F	Stern
Brough	Ferguson	Hastings	Murphy G W	Stevenson
Brown	Feth	Hoey	Nevins	Stratton
Buckley	Filley	Holmes	Newton	Surpless
Burhyte	Flanagan	Hooper	Northrup	Todd
Burns	Foley C F	Hubbs	Norton	Volk
Burzynski	Foley J A	Hurd	Oliver	Voss
Cavanaugh	Fowler	Jackson	Parker	Waddell
Chamberlain	Francis	Keller	Patton	Wagner
Cole	Frisbie	Lansing	Phillips	Walters
Colné	Ganly	Lee	Prince	Waters
Conklin	Garbe	Lewis	Ralston	Weber
Conrady	Geoghagan	Loos	Reece	Weimert
Croak	Gluck	Lowe	Robinson	West
Cunningham	Glynn	Lupton	Rogers	Whitley
Cuvillier	Goldberg	Maher	Schmidt	Whitney F G
De Groot	Gray	Mallon	Schoeneck	Whitney G H
Dobbs	Green	Mance	Schulz	Yale
Dominy	Gunderman	Marlatt	Sheridan	Young
Donnelly	Hackett	Matthews		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1485, Senate reprint No. 1787, Int. No. 1233) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for trout in certain counties," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 7, after the word "river" insert "and in the brooks and streams in Livingston county, except Spring Brook".

On page 2, line 5, after the word "Gainesville" strike out the balance of line 5, all of line 6 to and including the word "inclusive" in line 7, and insert in place thereof the following: "and in the county [counties] of [Saratoga] Rensselaer, [Warren and Washington] from September first to April thirtieth both inclusive [...] in the counties of Clinton, Essex, Franklin, Fulton, Hamilton, Herkimer, Saratoga, Saint Lawrence, Warren and Washington and Lewis, except in that part lying west of the Utica and Black river railroad company, from the fifteenth day of September to the thirtieth day of April, both inclusive." Also amend title to read as follows:

"An act to amend the forest, fish and game law, in relation to the close season for trout in certain counties."

Objection being made to the immediate consideration of said message, ordered, that said message be referred to the committee on rules.

The Senate returned the Assembly bill (No. 2639, Senate reprint No. 1795, Int. No. 1054) entitled "An act to amend the Greater New York charter, and the Municipal Court Act of the city of New York, by providing for a reorganization of the Municipal Court of the city of New York, and for changes in the districts and in the powers of said court and in the practice therein; and clerks, and to regulate the salaries of the justices thereof."

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the Assembly bill (No. 2667, Senate reprint No. 1766, Int. No. 1857) entitled "An act to legalize and confirm the acts and proceedings of the trustees and voters of union free school district number one, town of Hammond, Saint Lawrence county, New York, relative to certain tax and issue, and sale of certain bonds of said district."

Also, Assembly bill (No. 1161, Senate reprint No. 1693, Int. No. 1004) entitled "An act to amend the Code of Civil Procedure, relative to exclusion of jurors from the court room during argument of certain motions."

Also, Assembly bill (No. 2127, Senate reprint No. 1767, Int. No. 1441) entitled "An act to amend chapter one hundred and fifteen of the Laws of eighteen hundred and ninety-eight, entitled 'An act to provide for the improvement of the public highways,' generally."

Also, Assembly bill (No. 1841, Senate reprint No. 1798, Int. No. 1440) entitled "An act to amend chapter four hundred and sixty-nine of the Laws of nineteen hundred and six, entitled 'An act to provide for issuing of bonds of the State for the improvement of highways, and making an appropriation therefor,' generally."

Also, Assembly bill (No. 2377, Senate reprint No. 1604, Int. No. 347) entitled "An act to amend the Penal Code, in relation to the sale and furnishing of certain poisons."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Rogers gives notice that at some future day he will move to suspend rules Nos. 5, 6, 9, 10, 11, 12, 13, 18, 19, 20, 21, 22, 23, 49 and 54, for the purpose of discharging any and all

committees of this House from the further consideration of Senate bill No. 1244, entitled "An act to limit the application of the provisions of section ninety-three of the Railroad Law, ratifying and confirming certain contracts so far as such provisions apply to the city of Binghamton," and for the purpose of advancing out of its order and passing said bill.

Mr. Rogers gives notice that at some future day he will move to suspend rules Nos. 5, 6, 9, 10, 11, 12, 13, 18, 19, 20, 21, 22, 23, 49 and 54, for the purpose of discharging any and all committees of this House from the further consideration of Senate bill No. 708 entitled "An act to repeal chapter two hundred and thirty-one of the Laws of eighteen hundred and ninety-three, entitled 'An act to legalize the agreement between the Binghamton and Port Dickinson Railroad Company, the Binghamton Street Railroad Company, and the city of Binghamton, New York,' " and for the purpose of advancing out of its order and passing said bill.

A communication was received from Hon. Walter P. Crane, mayor of the city of Kingston, returning Assembly bill (No. 2701, Int. No. 1173) entitled "An act to amend chapter seven hundred and forty-seven of the Laws of eighteen hundred and ninety-six, entitled 'An act to revise and consolidate the several acts in relation to the city of Kingston, to revise the charter of said city, and to establish a City Court therein and define its jurisdiction and powers,' generally," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. John Hannan, mayor of the city of Ogdensburg, returning Assembly bill (No. 2310, Int. No. 1175), entitled "An act to amend chapter three hundred and eighty-two of the Laws of eighteen hundred and fifty-seven, entitled 'An act in relation to schools and academies in the village of Ogdensburg,' in relation to the rate of taxation for school purposes," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. William J. Rockefeller, mayor of the city of Rensselaer, returning Assembly bill

(No. 1765, Int. No. 1383), entitled "An act to amend chapter three hundred and fifty-nine of the Laws of eighteen hundred and ninety-seven, entitled 'An act to incorporate the city of Rensselaer,' in relation to the collection of taxes," with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. W. H. Folletts, mayor of the city of Tonawanda, returning Assembly bill (No. 2729, Int. No. 1184) entitled "An act to amend chapter three hundred and fifty-seven of the Laws of nineteen hundred and five, entitled 'An act to revise the several acts relative to the city of Tonawanda,' generally," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Messrs. Mead of Albany, Wells of New York, Baldwin of Onondaga, O'Brian of Erie, Collins of New York, Glore of Kings were excused until Tuesday next.

On motion of Mr. Moreland, the House adjourned.

TUESDAY, JUNE 4, 1907.

The House met pursuant to adjournment.

Prayer by Rev. W. M. Hitchcock, East Schodack.

On motion of Mr. Moreland, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. West gives notice that he requests that Assembly bill (No. 2831, Int. No. 1936) entitled "An act to amend chapter one hundred and fifteen of the Laws of eighteen hundred and ninety-eight, entitled 'An act to provide for the improvement of the public highways,' in relation to the payment of the cost of construction," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. West gives notice that he requests that Assembly bill (No. 2832, Int. No. 1937) entitled "An act to amend chapter four hundred and sixty-nine of the Laws of nineteen hundred and six, entitled 'An act to provide for issuing of bonds of the State for the improvement of highways, and making an appropriation therefor,' generally," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Gray gives notice that he requests that Assembly bill (No. 1420, Int. No. 1174) entitled "An act to provide for the removal of dead and floating timber from and cleaning out Fish creek in the towns of Depeyster and Macomb in the county of Saint Lawrence, and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Rogers gives notice that he requests that Assembly bill (No. 2853, Int. No. 1950) entitled "An act to amend the Insurance Law, in relation to the payment of dividends or refunds by any domestic corporation, association or society doing business subject to article six of the Insurance Law," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Sheridan gives notice that he requests that Assembly bill (No. 2416, Int. No. 1722) entitled "An act empowering the sinking fund commission of the city of New York to vacate and cancel certain assessments for public improvements upon the real property of the Church of Saint Nicholas Tolentine of the borough of the Bronx," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Dudley gives notice that he requests that the Senate bill (No. 1174, Rec. No. 464) entitled "An act amending section six of chapter three hundred and six of the Laws of eighteen hundred and ninety-three, entitled 'An act to establish a State prison for

women,' relative to salaries of guards and assistant matrons," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Hamn gives notice that he requests that Senate bill (No. 1722, Rec. No. 473) entitled "An act to provide for the repair of the bridge known as the 'Montezuma Turnpike Bridge' over the Seneca river in the county of Seneca," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Dudley gives notice that he requests that Senate bill (No. 1549, Rec. No. 392) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of William H. Bahn against the State of New York, and to render judgment therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Dudley gives notice that he requests that Senate bill (No. 1734, Rec. No. 479) entitled "An act to reimburse the estate of Cornelius Holland, deceased, for inheritance tax illegally collected," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Dudley gives notice that he requests that Senate bill (No. 1740, Rec. No. 462) entitled "An act to authorize the board of trustees of the village of Waterloo, in the county of Seneca, to issue bonds for the payment of certain indebtedness of said village and to provide for the redemption of said bonds by taxation," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Dudley gives notice that he requests that Senate bill (No. 1735, Rec. No. 480) entitled "An act to provide for the improve-

ment of Central street in the village of Moravia from Main street to the western terminus of Central street with pavement and to provide for the issuing of bonds in aid of such construction," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Phillips gives notice that he requests that the Senate bill (No. 1716, Rec. No. 471) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Emma B. Park, against the State for damages alleged to have been sustained by her and to render judgment therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. C. Smith gives notice that he requests that Senate bill (No. 1628, Rec. No. 447) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of William J. Logan for services as appraiser in the action of Consolidated Gas Company against the Commissioners of Gas and Electricity and others," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. C. Smith gives notice that he requests that Senate bill (No. 1627, Rec. No. 446) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of David L. Hough for services as appraiser in the action of Consolidated Gas Company against the Commissioners of Gas and Electricity and others," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Bohan gives notice that he requests that the Senate bill (No. 1131, Rec. No. 422) entitled "An act to authorize the commissioner of docks and ferries of the city of New York in his discretion, to rehear the charges upon which Henry Head, formerly

an engineman in the department of docks and ferries. was dismissed from the said department in the year nineteen hundred and five, and in his discretion to reinstate the said Henry Head to the position formerly held by him," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. O'Brian gives notice that he requests that Senate bill (No. 1636, Rec. No. 442) entitled "An act to amend the Banking Law so as to require trust companies to keep a lawful money reserve," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Oliver gives notice that he requests that the Senate bill (No. 1076, Rec. No. 382) entitled "An act to confer jurisdiction on the Court of Claims to hear, audit and determine the alleged claim of Ella Nagle, against the State of New York for damages alleged to have been sustained by her and to render judgment therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Oliver gives notice that he requests that the Senate bill (No. 1326, Rec. No. 415) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the Argus Company, of Albany, New York, against the State for damages alleged to have been sustained by them and to render judgment therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Mead gives notice that he requests that the Senate bill (No. 1571, Rec. No. 396) entitled "An act to confer jurisdiction upon the Court of Claims to hear and determine the alleged claim of Mary J. Dufort against the State for damages alleged to have been sustained by her and to render judgment therefor," a copy of which is hereto annexed, be made a special order, and

asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Patton gives notice that he requests that the Senate bill (No. 1558, Rec. No. 414) entitled "An act to amend chapter one hundred and forty-seven of the Laws of nineteen hundred and three, entitled 'An act making provision for issuing bonds to the amount of not to exceed one hundred and one million dollars for the improvement of the Erie canal, the Oswego canal and the Champlain canal, and providing for a submission of the same to the people to be voted upon at the general election to be held in the year nineteen hundred and three,' as amended by chapter seven hundred and forty of the Laws of nineteen hundred and five, relative to the route of the improved Erie canal," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Surpress gives notice that he requests that the Senate bill (No. 220, Rec. No. 273) entitled "An act making an appropriation for the quarantine station at Swinburne island," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Surpress gives notice that he requests that the Senate bill (No. 223, Rec. No. 274) entitled "An act making an appropriation for the quarantine station at Hoffman island," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Dowling gives notice that he requests that the Senate bill (No. 1442, Rec. No. 436) entitled "An act to amend the Real Property Law, relative to the discharge of mortgages in counties wholly embraced within cities of the first class, where the property involved lies in more than one of such counties," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Lansing gives notice that he requests that the Senate bill

(No. 1717, Rec. No. 470) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the Albany Towing Company against the State of New York for damages alleged to have been sustained by such company, and to render judgment therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Schmidt gives notice that he requests that the Senate bill (No. 1240, Rec. No. 432) entitled "An act to amend certain sections of chapter seven hundred and thirty-one of the Laws of nineteen hundred and five, entitled 'An act to provide for the widening of Pelham avenue, and for the construction of a bridge to carry Pelham avenue, as so widened, over the tracks of the New York and Harlem Railroad in the city of New York,'" a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Mills gives notice that he requests that the Senate bill (No. 1707, Rec. No. 469) entitled "An act to amend chapter eighty-five of the Laws of eighteen hundred and eighty-five, entitled 'An act to grant the use of certain State lands for the purposes of the Adirondack fish hatchery,'" a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Apgar gives notice that he requests that the Senate bill (No. 1772, Rec. No. 481) entitled "An act to approve a map of the highways prepared by the State Engineer and Surveyor, and to provide for an apportionment of highways to be improved with funds made available by the sale of bonds under the provisions of section twelve of article seven of the Constitution, and to authorize the preparation and distribution of such maps and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Hamn gives notice that he requests that the Senate bill (No. 1737, Rec. No. 465) entitled "An act to amend chapter one hundred and fifteen of the Laws of eighteen hundred and ninety-eight, entitled 'An act to provide for the improvement of the public highways,' generally," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Conklin gives notice that he requests that Senate bill (No. 1556, Rec. No. 451) entitled "An act to amend section eight hundred and fifty-six of the Code of Civil Procedure with respect to punishment for contempt," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

The Senate sent for concurrence the following entitled bills:

"An act to amend the Consolidated School Law, relative to compulsory education of children" (No. 1801, Rec. No. 482), which was read the first time and referred to the committee on public education.

"An act to amend the Public Officers' Law, relative to the powers and duties of public officers" (No. 1800, Rec. No. 483), which was read the first time and referred to the committee on the judiciary.

"An act to authorize the erection, furnishing and equipment of a municipal building at the Manhattan terminal of the New York and Brooklyn bridge in the city of New York" (No. 1176, Rec. No. 484), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Tax Law, in relation to ascertaining value of special franchises and equalization thereof, powers of State Board of Tax Commissioners, review of assessments and collection of taxes" (No. 1685, Rec. No. 485), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. West (No. 2832, Int. No. 1937), entitled "An act to amend chapter four hundred and

sixty-nine of the Laws of nineteen hundred and six, entitled 'An act to provide for issuing of bonds of the State for the improvement of highways, and making an appropriation therefor,' generally."

Also, Assembly bill introduced by Mr. West (No. 2831, Int. No. 1936), entitled "An act to amend chapter one hundred and fifteen of the Laws of eighteen hundred and ninety-eight, entitled 'An act to provide for the improvement of the public highways, in relation to the payment of the cost of construction.'"

Also, Assembly bill introduced by Mr. Gray (No. 1420, Int. No. 1174), entitled "An act to provide for the removal of dead and floating timber from and cleaning out Fish creek in the towns of Depeyster and Macomb, in the county of Saint Lawrence, and making an appropriation therefor."

Also, Assembly bill introduced by Mr. Rogers (No. 2853, Int. No. 1950), entitled "An act to amend the Insurance Law, in relation to the payment of dividends or refunds by any domestic corporation, association or society doing business subject to article six of the Insurance Law," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Sheridan (No. 2416, Int. No. 1722), entitled "An act empowering the sinking fund commission of the city of New York to vacate and cancel certain assessments for public improvements upon the real property of the Church of Saint Nicholas Tolentine of the borough of the Bronx," reported in favor of the passage of the same without amendment, and that the same be made a special order on third reading immediately, which report was agreed to, and said bill ordered made a special order on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Wilcox (No. 1174, Rec.

No. 464), entitled "An act amending section six of chapter three hundred and six of the Laws of eighteen hundred and ninety-three, entitled 'An act to establish a State prison for women,' relative to salaries of guards and assistant matrons."

Also, Senate bill introduced by Mr. Wilcox (No. 1722, Rec. No. 473), entitled "An act to provide for the repair of the bridge known as the 'Montezuma turnpike bridge,' over the Seneca river, in the county of Seneca."

Also, Senate bill introduced by Mr. Wilcox (No. 1549, Rec. No. 392), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of William H. Bahn against the State of New York, and to render judgment therefor."

Also, Senate bill introduced by Mr. Wilcox (No. 1740, Rec. No. 462), entitled "An act to authorize the board of trustees of the village of Waterloo in the county of Seneca to issue bonds for the payment of certain indebtedness of said village, and to provide for the redemption of said bonds by taxation."

Also, Senate bill introduced by Mr. Wilcox (No. 1734, Rec. No. 479), entitled "An act to reimburse the estate of Cornelius Holland, deceased, for inheritance tax illegally collected."

Also, Senate bill introduced by Mr. Tully (No. 1716, Rec. No. 471), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Emma B. Park, against the State for damages alleged to have been sustained by her and to render judgment therefor."

Also, Senate bill introduced by Mr. Wilcox (No. 1735, Rec. No. 480), entitled "An act to provide for the improvement of Central street in the village of Moravia, from Main street to the western terminus of Central street with pavement, and to provide for the issuing of bonds in aid of such construction."

Also, Senate bill introduced by Mr. McCall (No. 1627, Rec. No. 446), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of David L. Hough for services as appraiser in the action of Consolidated Gas Company against the Commissioners of Gas and Electricity and others."

Also, Senate bill introduced by Mr. McCall (No. 1628, Rec. No. 447), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of William J. Logan for services as appraiser in the action of Consolidated Gas Company against the Commissioners of Gas and Electricity and others."

Also, Senate bill introduced by Mr. Hill (No. 1636, Rec. No. 442), entitled "An act to amend the Banking Law so as to require trust companies to keep a lawful money reserve."

Also, Senate bill introduced by Mr. McManus (No. 1131, Rec. No. 422), entitled "An act to authorize the commissioner of docks and ferries of the city of New York, in his discretion, to rehear the charges upon which Henry Head, formerly an engineman in the department of docks and ferries, was dismissed from the said department in the year nineteen hundred and five, and in his discretion to reinstate the said Henry Head to the position formerly held by him."

Also, Senate bill introduced by Mr. Grady (No. 1326, Rec. No. 415), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the Argus Company, of Albany, New York, against the State for damages alleged to have been sustained by them and to render judgment therefor."

Also, Senate bill introduced by Mr. Grady (No. 1076, Rec. No. 382), entitled "An act to confer jurisdiction on the Court of Claims, to hear, audit and determine the alleged claim of Ella Nagle against the State of New York for damages alleged to have been sustained by her and to render judgment therefor."

Also, Senate bill introduced by Mr. Foelker (No. 1558, Rec. No. 414), entitled "An act to amend chapter one hundred and forty-seven of the Laws of nineteen hundred and three, entitled 'An act making provision for issuing bonds to the amount of not to exceed one hundred and one million dollars for the improvement of the Erie canal, the Oswego canal, and the Champlain canal, and providing for a submission of the same to the people to be voted upon at the general election to be held in the year nineteen hundred and three,' as amended by chapter seven hun-

dred and forty of the Laws of nineteen hundred and five, relative to the route of the improved Erie canal."

Also, Senate bill introduced by Mr. Grattan (No. 1571, Rec. No. 396), entitled "An act to confer jurisdiction upon the Court of Claims to hear and determine the alleged claim of Mary J. Dufort, against the State for damages alleged to have been sustained by her and to render judgment therefor."

Also, Senate bill introduced by Mr. Foelker (No. 223, Rec. No. 274), entitled "An act making an appropriation for the quarantine station at Hoffman island."

Also, Senate bill introduced by Mr. Foelker (No. 220, Rec. No. 273), entitled "An act making an appropriation for the quarantine station at Swinburne island."

Also, Senate bill introduced by Mr. Cordts (No. 1717, Rec. No. 470) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the Albany Towing Company against the State of New York, for damages alleged to have been sustained by such company, and to render judgment therefor."

Also, Senate bill introduced by Mr. Foelker (No. 1442, Rec. No. 436), entitled "An act to amend the Real Property Law, relative to the discharge of mortgages in counties wholly embraced within cities of the first class, where the property involved lies in more than one of such counties."

Also, Senate bill introduced by Mr. Cobb (No. 1707, Rec. No. 469), entitled "An act to amend chapter eighty-five of the Laws of eighteen hundred and eighty-five, entitled 'An act to grant the use of certain State lands for the purposes of the Adirondack fish hatchery.' "

Also, Senate bill introduced by Mr. Cohalan (No. 1240, Rec. No. 432), entitled "An act to amend certain sections of chapter seven hundred and thirty-one of the Laws of nineteen hundred and five, entitled 'An act to provide for the widening of Pelham avenue and for the construction of a bridge to carry Pelham avenue as so widened over the tracks of the New York and Harlem Railroad in the city of New York.' "

Also, Senate bill introduced by Mr. Cobb (No. 1737, Rec. No. 465), entitled "An act to amend chapter one hundred and fifteen

of the Laws of eighteen hundred and ninety-eight, entitled 'An act to provide for the improvement of the public highways,' generally."

Also, Senate bill introduced by committee on internal affairs (No. 1772, Rec. No. 481), entitled "An act to approve a map of the highways prepared by the State Engineer and Surveyor and to provide for an apportionment of highways to be improved with funds made available by the sale of bonds under the provisions of section twelve of article seven of the Constitution, and to authorize the preparation and distribution of such maps and making an appropriation therefor," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill introduced by Mr. Page (No. 1556, Rec. No. 451), entitled "An act to amend section eight hundred and fifty-six of the Code of Civil Procedure with respect to punishment for contempt," reported the same with the following amendments:

Page 1, line 10, after the word "forthwith" insert a bracket.

Page 2, line 1, after the word "facts" insert a bracket.

and requests that said bill be reprinted, as amended, and recommitted to said committee.

Which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

A message from the Governor, by the hand of the secretary, was received and read, in words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, June 4, 1907.

To the Legislature:

I respectfully urge the passage of suitable legislation with reference to the following matters:

1. Provision for investigation by the Governor of administrative departments.

2. Amendment of the Primary Election Law so as to make proper provision for direct nominations and official primary ballots.

3. Amendment of the Election Law so as to make more effective provision against corrupt practices.

The recent decision of the Supreme Court holding certain features of the act of the last session to be unconstitutional because of the absence of a requirement of notice to the persons affected by proceedings for the purpose of inquiring into the truth or sufficiency of statements of election expenses, makes it highly important that the law should be amended. The scheme for a judicial scrutiny of the statements filed is a most valuable one and should not be allowed to fail of effect. I also recommend to your consideration the further limitation of the amounts which can be expended in connection with elections without being scheduled or itemized.

4. Provision for inquiry and the formulation of plans with reference to the development and use of water powers and their proper regulation and control by the State.

5. Amendment of the Tax Law so as to include for purposes of taxation, within the term "special franchise" the crossing of streets, highways or public places within the limits of cities and incorporated villages. Under the present law, as it has been amended, it appears that a large number of important special franchises to maintain such crossings are not the subject of taxation, and there would seem to be no adequate reason for the exemption.

With reference to this matter the State Board of Tax Commissioners said in its recent report:

"The immediate effect of this amendment (referring to the present law), was to reduce the number of special franchise assessments made by this board by more than 1,100, and took from the aggregate special franchise assessments more than \$10,000,000 in values. A small portion of this amount was tangible real property embraced therein which went back to the jurisdiction of local assessing officers, but the much larger amount represented intangible or special franchise value proper, which has since that time been lost to the localities. It may be quite safely stated that but for this amendment the amount of the intangible or special franchise values, on account of the assessment of these crossings, would at this time show a material increase over the amount stated. The greater part of these values which entered into this aggregate of

\$10,000,000 came from the populous centers, the cities and villages of the State. It may be, as contended, that the expense of gathering the information and making the assessments of these crossings in the country districts by this board is out of proportion to the benefits received, but this condition does not exist in respect to such crossings in the populous centers. In such localities these rights are of very substantial value. In many instances they are much more valuable than special franchises which are being assessed by this board on account of their being differently situate in streets and public places. This property right, indisputably of substantial value, is not taxable under the present law and this board is unable to see why it should not bear its just share of the burdens of government."

The passage of suitable measures to attain these objects I believe to be of great public importance.

CHARLES E. HUGHES.

A message from the Governor, by the hand of his secretary, was received and read, in words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,
ALBANY, June 4, 1907.

To the Assembly:

I return herewith, without my approval, Assembly bill (No. 1595) entitled "An act to amend chapter four hundred and ten of the Laws of eighteen hundred and eighty-two, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the compensation of the deputy clerks, assistant clerk, record clerks, and attendants of the Court of General Sessions of the Peace in and for the county of New York."

This bill proposes to increase the salaries of the deputy clerks, and record clerks of the Court of General Sessions in New York county. The matter is one which should be dealt with by the local authorities.

CHARLES E. HUGHES.

On motion of Mr. Young, said message, together with said bill, was ordered laid upon the table.

A message from the Governor, by the hand of his secretary, was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, June 4, 1907.

To the Assembly:

I return herewith, without my approval, Assembly bill (No. 1761) entitled "An act to confer jurisdiction upon the board of supervisors of Erie county to hear, audit, determine and provide for the payment of the alleged claim of the Ryan, Danahy and Ryan Company."

A similar bill empowering the board of estimate and apportionment of the city of New York to inquire into the justice of a particular claim has been disapproved. This was upon the ground that in the place of special legislation suitable general provision should be made for inquiry into claims of an equitable character which have failed of legal effect on account of some technical non-compliance with the law.

The same policy should apply to claims in Erie county.

CHARLES E. HUGHES.

On motion of Mr. Brooks, said message, together with said bill, was ordered laid upon the table.

Mr. Moreland moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded.

Allen	Draper	Hamilton	Miller	Smith A E
Averill	Dudley	Hammond	Mills	Smith C
Baldwin	Duell	Hamn	Moreland	Smith Myron
Baumann	Eagleton	Harawitz	Morgan	Staley
Blue	Eggleston	Harper	Murphy C F	Stanton
Boshart	Eichhorn	Harris	Murphy G W	Stern
Brady	Fay	Hart	Nevins	Stevenson
Brooks	Ferguson	Hoey	Newton	Stratton
Brough	Feth	Holmes	Northrup	Surpless
Brown	Filley	Hooper	Norton	Todd
Burhyte	Flanagan	Hubbs	O'Brian	Volk
Burns	Foley C F	Hurd	Oliver	Voss
Burzynski	Fowler	Jackson	Parker	Waddell
Cavanaugh	Francis	Lansing	Patton	Wainwright
Chamberlain	Frisbie	Lee	Phillips	Walters
Cole	Ganly	Lewis	Prentice	Waters
Collins	Garbe	Loos	Ralston	Weimert
Colné	Geoghagan	Lowe	Reece	West
Conklin	Glore	Lupton	Robinson	Whitley
Conrady	Gluck	Maher	Rogers	Whitney F G
Croak	Glynn	Mallon	Schoeneck	Whitney G H
Cuvillier	Goldberg	Mance	Schwegler	Winters
Dobbs	Green	Marlatt	Sheridan	Wood
Dominy	Gunderman	Matthews	Shuttleworth	Yale
Donnelly	Hackett	Mead	Sinclair	Young
Dowling	Haines	Merritt		

Mr. Moreland moved that the call of the House be made a close call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the bill (No. 2356, Senate reprint No. 1492) entitled "An act to amend the Public Health Law by defining optometry and regulating the practice thereof" (Int. No. 452). Said bill having been announced, Mr. Speaker stated the question to be upon concurrence in the amendments of the Senate thereto.

Debate was had thereon.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 93

NOES 17

Those who voted in the affirmative were:

Allen	Dowling	Hamn	Mead	Smith Myron
Averill	Dudley	Harper	Mills	Staley
Baumann	Eggleston	Harris	Moreland	Stanton
Blue	Eichhorn	Hastings	Morgan	Stevenson
Bohan	Fay	Hoey	Murphy G W	Stratton
Brooks	Ferguson	Holmes	Nevins	Surpless
Brown	Feth	Hooper	Newton	Volk
Buckley	Filley	Hubbs	Northrup	Voss
Cavanaugh	Foley C F	Hurd	Norton	Wagner
Chamberlain	Fowler	Jackson	Parker	Walters
Cole	Frisbie	Lansing	Patton	Waters
Colné	Ganly	Lee	Phillips	Weber
Conklin	Glore	Lewis	Rogers	Weimert
Conrady	Glynn	Loos	Schoeneck	West
Croak	Green	Low	Shuttleworth	Whitley
Cuvillier	Gunderman	Mance	Sinclair	Winters
De Groot	Hackett	Marlatt	Smith A E	Yale
Dobbs	Haines	Matthews	Smith C	Young
Dominy	Hamilton	McCue		

Those who voted in the negative were:

Burhyte	Gluck	Prentice	Robinson	Stern
Burns	Lupton	Ralston	Schmidt	Wainwright
Draper	Miller	Reece	Sheridan	Wood
Francis	Oliver			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

Mr. Speaker announced the special order, being the bill (No. 2840) entitled "An act to amend the Forest, Fish and Game Law, relative to licenses." (Int. No. 244.)

Said bill having been announced for third reading, Mr. Phillips moved that said bill be recommitted to the committee on fisheries and game, with instructions to report the same forthwith amended as follows:

On page 4, line 14, after the word "license" insert the following: "provided, however, that no license shall be required to be obtained as herein provided by residents of the state except such as shall hunt, pursue or kill with a gun wild animals, fowls or birds within counties wholly or partly within the limits of the forest preserve".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Mills, from the committee on fisheries and game, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Speaker announced the special order, being the bill (No. 2416) entitled "An act empowering the sinking fund commission of the city of New York to vacate and cancel certain assessments for public improvements upon the real property of the Church of Saint Nicholas Tolentine, of the borough of the Bronx." (Int. No. 1722.)

On motion of Mr. Sheridan, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowé	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrad	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2722) entitled "An act to amend section twenty-one of chapter three hundred and seventy of the Laws of eighteen hundred and ninety-nine, entitled 'An act in relation to the civil service of the State of New York, and the cities and civil divisions thereof, constituting chapter three of the general laws.'" (Int. No. 1459.)

On motion of Mr. Hoey, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

AYES 39

NOES 61

Those who voted in the affirmative were:

Baumann	Cuvillier	Hackett	Norton	Volk
Bohan	Dudley	Haines	Oliver	Walters
Brooks	Filley	Hoey	Patton	Weber
Burhyte	Foley C F	Merritt	Rogers	Weimert
Burns	Fowler	Murphy G W	Schwegler	West
Burzynski	Friskie	Nevins	Staley	Whitney F G
Collins	Globe	Newton	Stanton	Whitney G H
Croak	Gluck	Northrup	Stratton	

Those who voted in the negative were:

Averill	Eggleston	Hart	Marlatt	Sheridan
Blue	Eichhorn	Holmes	McCue	Smith A E
Cavanaugh	Fay	Hurd	Miller	Smith C
Chamberlain	Francis	Jackson	Mills	Stern
Cole	Garbe	Lansing	Moreland	Stevenson
Conklin	Geoghagan	Lewis	Morgan	Surpluss
Conrady	Glynn	Loos	O'Brian	Wagner
Cunningham	Green	Lowe	Parker	Wainwright
De Groot	Hammond	Lupton	Phillips	Waters
Dobbs	Hamn	Maher	Prentice	Wells
Dominy	Harper	Mallon	Reece	Whitley
Duell	Harris	Mance	Schoeneck	Wood
Eagleton				

Mr. Hoey moved to reconsider the vote by which said bill was lost, and that said motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was decided in the affirmative.

Mr. Phillips in the chair.

Mr. Speaker announced the special order, being the Senate bill (No. 936, Assembly reprint No. 2772) entitled "An act to amend an act, entitled 'An act to provide for the acquiring of a site and the erection and furnishing of a new court house in the city of Utica for the use of the county of Oneida, and to provide means to defray the expense thereof, and to sell the present court house and site, and the county clerk's office and site, situate in Utica,' as amended by chapter one hundred and thirty-two of the Laws of nineteen hundred and five." (Rec. No. 162.)

On motion of Mr. Lewis, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

AYES 75

NOES 43

Those who voted in the affirmative were:

Allen	Draper	Haines	Miller	Sinclair
Averill	Dudley	Hamn	Mills	Smith Myron
Boshart	Duell	Hart	Moreland	Staley
Brough	Eagleton	Holmes	Murphy C F	Stanton
Burzynski	Eggleston	Hooper	Nevins	Stevenson
Cole	Eichhorn	Jackson	Newton	Volk
Conklin	Filley	Lansing	O'Brian	Wagner
Conrady	Fowler	Lewis	Parker	Wainwright
Croak	Frisbie	Lupton	Patton	Walters
Cunningham	Ganly	Maher	Prentice	Waters
Cuvillier	Geoghagan	Mallon	Reece	Weber
De Groot	Glore	Mance	Robinson	Weimert
Dobbs	Gluck	Matthews	Schmidt	Whitney G H
Dominy	Goldberg	McCue	Sheridan	Yale
Dowling	Green	Merritt	Shuttleworth	Young

Those who voted in the negative were:

Baldwin	Collins	Hackett	Lowe	Schoeneck
Baumann	Colné	Hammond	Marlatt	Smith C
Blue	Donnelly	Harawitz	Morgan	Stern
Bohan	Fay	Harris	Northrup	Stratton
Brady	Feth	Hoey	Oliver	West
Brown	Foley C F	Hubbs	Phillips	Whitley
Buckley	Francis	Hurd	Ralston	Winters
Burhyte	Glynn	Lee	Rogers	Wood
Chamberlain	Gunderman	Lóos		

Mr. Hart moved to reconsider the vote by which said bill was lost, and that said motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was decided in the affirmative.

Mr. Speaker announced the special order, being the Senate bill (No. 1536) entitled "An act to amend the Railroad Law, in relation to location of route." (Rec. No. 403.)

On motion of Mr. Sinclair, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and

upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

AYES 46

NOES 68

Those who voted in the affirmative were:

Allen	Dominy	Harawitz	Mead	Shuttleworth
Bohan	Dowling	Hastings	Merritt	Sinclair
Brooks	Draper	Hoey	Morgan	Smith A E
Brough	Dudley	Hooper	Murphy C F	Staley
Brown	Filley	Hubbs	Murphy G W	Waters
Burns	Fowler	Hurd	Norton	West
Conrady	Frisbie	Lansing	Oliver	Whitley
Croak	Hackett	Mance	Parker	Wood
Cuvillier	Haines	Matthews	Ralston	Yale
De Groot				

Those who voted in the negative were:

Averill	Eichhorn	Hammond	Newton	Stevenson
Boshart	Fay	Hamn	Northrup	Stratton
Buckley	Feth	Harper	O'Brian	Surpless
Burhyte	Flanagan	Harris	Patton	Todd
Burzynski	Foley C F	Holmes	Prentice	Volk
Chamberlain	Francis	Jackson	Reece	Wagner
Cole	Ganly	Loos	Robinson	Wainwright
Collins	Garbe	Lupton	Schmidt	Walters
Colné	Geoghagan	Maher	Sheridan	Weber
Conklin	Glore	Mallon	Smith C	Weimert
Dobbs	Gluck	McCue	Smith Myron	Whitney F G
Donnelly	Glynn	Miller	Stanton	Whitney G H
Duell	Green	Moreland	Stern	Winters
Eggleston	Gunderman	Nevins		

Mr. Merritt moved to reconsider the vote by which said bill was lost, and that said motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was decided in the affirmative.

Mr. Hart moved to take from the table his motion to reconsider the vote by which Assembly bill (No. 2772, Rec. No. 162) entitled "An act to amend an act, entitled 'An act to provide for the acquiring of a site and the erection and furnishing of a new court house in the city of Utica for the use of the county of Oneida, and to provide means to defray the expense thereof, and to sell the present court house and site and the county clerk's

office and site, situate in Utica,' as amended by chapter one hundred and thirty-two of the Laws of nineteen hundred and five," was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

AYES 65

NOES 50

Those who voted in the affirmative were:

Averill	Eagleton	Holmes	Miller	Sinclair
Baldwin	Eichhorn	Hooper	Mills	Smith Myron
Baumann	Filley	Huth	Moreland	Stanton
Brough	Fowler	Iansing	Murphy C F	Surpless
Burzynski	Frisbie	Lee	Nevins	Wagner
Conklin	Ganly	Lewis	Newton	Wainwright
Conrady	Garbe	Lupton	O'Brian	Walters
Cunningham	Geoghagan	Maher	Patton	Waters
De Groot	Glore	Mallon	Prentice	Weber
Dobbs	Gluck	Mance	Reece	Wells
Dominy	Haines	Matthews	Robinson	Whitney G H
Dowling	Hamm	McCue	Schmidt	Yale
Duell	Hart	Merritt	Sheridan	Young

Those who voted in the negative were:

Blue	Colne	Gunderman	Loos	Rogers
Boshart	Croak	Hackett	Lowe	Schoeneck
Brady	Cuvillier	Hammond	Marlatt	Smith C
Brown	Donnelly	Harawitz	Morgan	Stern
Buckley	Draper	Harper	Murphy G W	Stevenson
Burhyte	Eggleston	Harris	Northrup	Stratton
Burns	Fay	Hastings	Norton	West
Chamberlain	Feth	Hoey	Oliver	Whitley
Cole	Francis	Hubbs	Phillips	Whitney F G
Collins	Glynn	Hurd	Ralston	Winters

Mr. Hart moved to postpone until Wednesday next his motion to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker in the chair.

Mr. Speaker announced the special order, being the Senate bill (No. 1563) entitled "An act to amend the Domestic Relations Law, by providing for marriage licenses." (Rec. No. 360.)

Debate was had thereon.

On motion of Mr. Wood: said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 86

NOES 31

Those who voted in the affirmative were:

Allen	Duell	Holmes	Murphy G W	Staley
Averill	Eggleston	Hooper	Nevins	Stanton
Baldwin	Feth	Hubbs	Newton	Stern
Blue	Filley	Hurd	Northrup	Stevenson
Boshart	Fowler	Lansing	Norton	Stratton
Brough	Francis	Lee	O'Brian	Volk
Brown	Frisbie	Lewis	Parker	Voss
Burhyte	Gluck	Lowe	Patton	Wainwright
Chamberlain	Gunderman	Lupton	Phillips	Waters
Cole	Haines	Mance	Prentice	Weber
Colné	Hamilton	Marlatt	Ralston	Weimert
Conklin	Hammond	Matthews	Reece	West
Conrady	Hamn	Merritt	Robinson	Whitley
Cuvillier	Harper	Miller	Rogers	Whitney F G
De Groot	Harris	Moreland	Sinclair	Whitney G H
Dobbs	Hart	Morgan	Smith C	Winters
Draper	Hastings	Murphy C F	Smith Myron	Wood
Dudley				

Those who voted in the negative were:

Bohan	Croak	Ganly	Hoey	Schwegler
Brooks	Cunningham	Garbe	Jackson	Sheridan
Buckley	Eagleton	Geoghagan	Loos	Smith A E
Burns	Eichhorn	Glynn	Mallon	Surpless
Burzynski	Flanagan	Hackett	McCue	Wagner
Cavanaugh	Foley C F	Harawitz	Schmidt	Walters
Collins				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 2799) entitled "An act to confirm certain grants or patents of land under the navigable waters of the State." (Int. No. 1914.)

On motion of Mr. Croak, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Garly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrad	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1686) entitled "An act to establish a State probation commission and defining its powers and duties." (Rec. No. 435.)

On motion of Mr. Rogers, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 5

Those who voted in the affirmative were:

Allen	Dominy	Hamilton	Miller	Sinclair
Apgar	Donnelly	Hammond	Mills	Smith A E
Averill	Dowling	Hamn	Mooney	Smith C
Baldwin	Draper	Harawitz	Moreland	Smith Myron
Baumann	Dudley	Harper	Morgan	Staley
Blue	Duell	Harris	Murphy C F	Stern
Bohan	Eggleston	Hart	Murphy G W	Stratton
Boshart	Eichhorn	Hoe	Nevins	Surpluss
Brady	Farrell	Holmes	Northrup	Todd
Brough	Ferguson	Hubbs	Norton	Volk
Brown	Feth	Hurd	O'Brian	Voss
Buckley	Filley	Huth	Oliver	Waddell
Burhyte	Flanagan	Jacobs	Parker	Wainwright
Burns	Foley J A	Keller	Patton	Walters
Burzynski	Fowler	Lansing	Phillips	Waters
Chamberlain	Francis	Lee	Prentice	Weber
Cole	Frisbie	Lewis	Prince	Weimert
Collins	Ganly	Loos	Ralston	Wells
Colné	Garbe	Lowe	Reece	Whitley
Conklin	Geoghagan	Lupton	Robinson	Whitney F G
Conrady	Glore	Maher	Rogers	Whitney G H
Croak	Gluck	Mallon	Schmidt	Winters
Cunningham	Goldberg	Marlatt	Schoeneck	Wood
Cuvillier	Green	Matthews	Schwegler	Yale
De Groot	Gunderman	Mead	Shuttleworth	Young
Dobbs	Haines	Merritt		

Those who voted in the negative were:

Eagleton	Glynn	Hackett	McCue	Sheridan
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Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1194) entitled "An act to amend the Town Law, relating to the duties of supervisors" (Rec. No. 342). Said bill having been announced for a second reading,

On motion of Mr. Moreland, and by unanimous consent, said bill was made a special order on second and third reading for Thursday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the Senate bill (No. 1677) entitled "An act to amend the Code of Civil Procedure, in relation to awarding costs to an unsuccessful contestant of a will." (Rec. No. 456.)

On motion of Mr. Phillips, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surplless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 1420) entitled "An act to provide for the removal of dead and floating timber from and cleaning out Fish creek in the towns of Depeyster and Macomb in the county of Saint Lawrence, and making an appropriation therefor." (Int. No. 1174.)

On motion of Mr. Gray, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Cavanaugh	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2853) entitled "An act to amend the Insurance Law, in relation to the payment of dividends or refunds by any domestic corporation, association or society doing business subject to article six of the Insurance Law." (Int. No. 1950.)

On motion of Mr. Rogers, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and

upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were :

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stanton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2831) entitled "An act to amend chapter one hundred and fifteen of the Laws of eighteen hundred and ninety-eight, entitled 'An act to provide for the improvement of the public highways,' in relation to the payment of the cost of construction." (Int. No. 1936.)

On motion of Mr. West, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132 .

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Stanton
Brough	Filley	Hubbs	Northrup	Todd
Brown	Flanagan	Hurd	Norton	Volk
Buckley	Foley J A	Huth	O'Brian	Voss
Burhyte	Fowler	Jacobs	Oliver	Waddell
Burns	Francis	Keller	Parker	Wainwright
Burzynski	Frisbie	Lansing	Patton	Walters
Chamberlain	Ganly	Lee	Phillips	Waters
Cole	Garbe	Lewis	Prentice	Weber
Collins	Geoghagan	Loos	Prince	Weimert
Colné	Glore	Lowe	Ralston	Wells
Conklin	Gluck	Lupton	Reece	Whitley
Conrady	Glynn	Maher	Robinson	Whitney F G
Croak	Goldberg	Mallon	Rogers	Whitney G H
Cunningham	Gray	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2832) entitled "An act to amend chapter four hundred and sixty-nine of the Laws of nineteen hundred and six, entitled 'An act to provide for issuing of bonds of the State for the improvement of highways and making an appropriation therefor,' generally." (Int. No. 1937.)

On motion of Mr. West, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cavillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1737) entitled "An act to amend chapter one hundred and fifteen of the Laws of eighteen hundred and ninety-eight, entitled 'An act to provide for the improvement of the public highways,' generally." (Rec. No. 465.)

On motion of Mr. Moreland said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and

upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Höey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpluss
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1772) entitled "An act to approve a map of the highways prepared by the State Engineer and Surveyor and to provide for an apportionment of highways to be improved with funds made available by the sale of bonds under the provisions of section twelve of article seven of the Constitution, and to authorize the preparation and distribution of such maps and making an appropriation therefor." (Rec. No. 481.)

On motion of Mr. Hubbs, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1707) entitled "An act to amend chapter eighty-five of the Laws of eighteen hundred and eighty-five, entitled 'An act to grant the use of certain State lands for the purposes of the Adirondack Fish Hatchery.'" (Rec. No. 469.)

On motion of Mr. Mills, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1240) entitled "An act to amend certain sections of chapter seven hundred and thirty-one of the Laws of nineteen hundred and five, entitled 'An act to provide for the widening of Pelham avenue and for the construction of a bridge to carry Pelham avenue as so widened over the tracks of the New York and Harlem Railroad in the city of New York.'" (Rec. No. 432.)

On motion of Mr. Dobbs, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1717) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the Albany Towing Company against the State of New York, for damages alleged to have been sustained by such company, and to render judgment therefor." (Rec. No. 470.)

On motion of Mr. Lansing, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Meritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1442) entitled "An act to amend the Real Property Law, relative to the discharge of mortgages in counties wholly embraced within cities of the first class, where the property involved lies in more than one of such counties." (Rec. No. 436.)

On motion of Mr. Phillips, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 220) entitled "An act making an appropriation for the quarantine station at Swinburne island." (Rec. No. 273.)

On motion of Mr. Moreland, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 223) entitled "An act making an appropriation for the quarantine station at Hoffman's island." (Rec. No. 274.)

On motion of Mr. Moreland, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrad	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1558) entitled "An act to amend chapter one hundred and forty-seven of the Laws of nineteen hundred and three, entitled 'An act making provision for issuing bonds to the amount of not to exceed one hundred and one million dollars for the improvement of the Erie canal, the Oswego canal and the Champlain canal, and providing for a submission of the same to the people to be voted upon at the general election to be held in the year nineteen hundred and three,' as amended by chapter seven hundred and forty of the Laws of nineteen hundred and five,

relative to the route of the improved Erie canal." (Rec. No. 414.)

On motion of Mr. Moreland, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surplless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Cunningham	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colne	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1571) entitled "An act to confer jurisdiction upon the Court of Claims to hear and determine the alleged claim of Mary

J. Dufort against the State for damages alleged to have been sustained by her and to render judgment therefor." (Rec. No. 396.)

On motion of Mr. Maher, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips -	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrad	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1326) entitled "An act to confer jurisdiction upon the

Court of Claims to hear, audit and determine the alleged claim of the Argus Company, of Albany, New York, against the State for damages alleged to have been sustained by them and to render judgment therefor." (Rec. No. 415.)

On motion of Mr. Bohan, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Groak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill

(No. 1076) entitled "An act to confer jurisdiction on the Court of Claims to hear, audit and determine the alleged claim of Ella Nagle against the State of New York for damages alleged to have been sustained by her and to render judgment therefor." (Rec. No. 382.)

On motion of Mr. Bohan, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrad	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1636) entitled "An act to amend the Banking Law so as to require trust companies to keep a lawful money reserve." (Rec. No. 442.)

On motion of Mr. O'Brian, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 1

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Mead	Sheridan
Apgar	Dowling	Hamilton	Merritt	Shuttleworth
Averill	Draper	Hammond	Miller	Sinclair
Baldwin	Dudley	Hamn	Mills	Smith A E
Baumann	Duell	Harawitz	Mooney	Smith C
Blue	Eggleston	Harper	Moreland	Smith Myron
Bohan	Fichhorn	Harris	Morgan	Staley
Boshart	Farrell	Hart	Murphy C F	Stern
Brady	Ferguson	Hoey	Murphy G W	Stratton
Brough	Feth	Holmes	Nevins	Surpluss
Brown	Filley	Hubbs	Northrup	Todd
Buckley	Flanagan	Hurd	Norton	Volk
Burhyte	Foley J A	Huth	O'Brian	Voss
Burns	Fowler	Jacobs	Oliver	Waddell
Burzynski	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Collins	Garbe	Lewis	Prentice	Weimert
Colne	Geoghagan	Loos	Prince	Wells
Conklin	Glore	Lowe	Ralston	Whitley
Conrady	Gluck	Lupton	Reece	Whitney F G
Croak	Glynn	Maher	Robinson	Whitney G H
Cunningham	Goldberg	Mallon	Rogers	Winters
Cuvillier	Green	Marlatt	Schmidt	Wood
De Groot	Gunderman	Matthews	Schoeneck	Yale
Dobbs	Hackett	McCue	Schwegler	Young
Dominy				

In the negative:

Wainwright

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill

(No. 1131) entitled "An act to authorize the commissioner of docks and ferries of the city of New York, in his discretion, to rehear the charges upon which Henry Head, formerly an engine-man in the department of docks and ferries, was dismissed from the said department in the year nineteen hundred and five, and in his discretion to reinstate the said Henry Head to the position formerly held by him." (Rec. No. 422.)

On motion of Mr. Oliver, said bill was read the second time.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brien	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Welis
Conklin	Glore	Lupton	Reece	Whitley
Conrad	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill. (No. 1627) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of David L. Hough for services as appraiser in the action of Consolidated Gas Company against the Commission of Gas and Electricity and others." (Rec. No. 446.)

On motion of Mr. Oliver, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hann	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpluss
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered. That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1628) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of William J. Logan for services as appraiser in the action of Consolidated Gas Company against the commissioners of gas and electricity and others." (Rec. No. 447.)

On motion of Mr. Oliver, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1716) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Emma B. Park against the State for damages alleged to have been sustained by her and to render judgment therefor." (Rec. No. 471.)

On motion of Mr. Hamn, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1735) entitled "An act to provide for the improvement of Central street in the village of Moravia from Main street to the western terminus of Central street with pavement and to provide for the issuing of bonds in aid of such construction." (Rec. No. 480.)

On motion of Mr. Dudley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpluss
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1740) entitled "An act to authorize the board of trustees of the village of Waterloo, in the county of Seneca, to issue bonds for the payment of certain indebtedness of said village and to provide for the redemption of said bonds by taxation." (Rec. No. 462.)

Said bill having been announced for second reading, Mr. Harper moved to amend as follows:

On page 1, line 6, strike out the following: "in the year nineteen hundred and seven".

On page 2, line 1, strike out the word "six" and substitute therefor the word "seven".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

On motion of Mr. Dudley, said bill was then read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 1

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A F
Baldwin	Dudley	Hamn	Mooney	Smith C
Baumann	Duell	Harawitz	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert

Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy				

In the negative:

Harper

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1734) entitled "An act to reimburse the estate of Cornelius Holland, deceased, for inheritance tax illegally collected." (Rec. No. 479.)

On motion of Mr. Dudley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamm	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters

Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1722) entitled "An act to provide for the repair of the bridge known as the 'Montezuma Turnpike Bridge' over the Seneca river, in the county of Seneca." (Rec. No. 473.)

On motion of Mr. Dudley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoe	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevis	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert

Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1549) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of William H. Bahn against the State of New York, and to render judgment therefor." (Rec. No. 392.)

On motion of Mr. Dudley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpluss
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert

Colne	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Meade	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1174) entitled "An act amending section six of chapter three hundred and six of the Laws of eighteen hundred and ninety-three, entitled 'An act to establish a State prison for women,' relative to salaries of guards and assistant matrons." (Rec. No. 464.)

On motion of Mr. Dudley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamm	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber

Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Salston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

A communication was received from Hon. John K. Smith, mayor of the city of Oswego, returning Assembly bill (No. 2513, Int. No. 1775) entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of Oswego,' relative to the powers of policemen of said city," with a message that said mayor and the common council of said city, after a public hearing thereon, do not approve said bill and do not accept the same.

Mr. Speaker stated the question to be "Shall this bill pass notwithstanding the objections of the mayor and the common council, the legislative body of the city of Oswego, thereto?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Hutk	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters

Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrad	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 2470, Int. No. 615) entitled "An act to amend the Greater New York charter, relative to the appointment of teachers in the public schools," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

Said bill having been announced, Mr. Croak moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells

Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Mr. Croak moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Striking out page 4, lines 7 and 8, the words "and to be appointed and promoted as a regular and permanent teacher in said schools."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Dowling, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 2719, Int. No. 1083) entitled "An act to establish the Public Service Commissions and prescribing their powers and duties, and to provide for the regulation and control of certain public service corporations and making an appropriation therefor," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

Mr. Speaker stated the question to be "Shall this bill pass notwithstanding the objections of the mayor of the city of New York thereto?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

AYES 116

NOES 11

Those who voted in the affirmative were:

Allen	Dowling	Hamn	Morgan	Smith C
Averill	Draper	Harawitz	Murphy C F	Smith Myron
Baldwin	Dudley	Harris	Murphy G W	Staley
Blue	Duell	Hart	Nevins	Stanton
Bohan	Eggleston	Hastings	Newton	Stern
Boshart	Eichhorn	Holmes	Northrup	Stevenson
Brady	Ferguson	Hooper	Norton	Stratton

Brooks	Filley	Hubbs	O'Brian	Surpless
Brough	Flanagan	Hurd	Oliver	Volk
Brown	Foley C F	Lansing	Parker	Voss
Burhyte	Fowler	Lee	Patton	Waddell
Burns	Francis	Lewis	Phillips	Wagner
Burzynski	Frisbie	Lowe	Prentice	Wainwright
Cavanaugh	Ganly	Lupton	Ralston	Waters
Chamberlain	Garbe	Maher	Reece	Weimert
Cole	Glore	Mallon	Robinson	West
Collins	Glynn	Mance	Rogers	Whitley
Colné	Green	Marlatt	Schmidt	Whitney F G
Conklin	Gunderman	Matthews	Schoeneck	Whitney G H
Conrady	Hackett	Merritt	Sheridan	Winters
Croak	Haines	Miller	Shuttleworth	Wood
De Groot	Hamilton	Mills	Sinclair	Yale
Dobbs	Hammond	Moreland	Smith A E	Young
Dominy				

Those who voted in the negative were:

Baumann	Eagleton	Feth	Gluck	Loos
Cuvillier	Fay	Geoghagan	Jackson	Schwegler
Donnelly				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 1285, Int. No. 568) entitled "An act to amend the Greater New York charter, in relation to the powers of the borough presidents and of the president of the board of aldermen," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

Mr. Speaker stated the question to be "Shall this bill pass notwithstanding the objections of the mayor of the city of New York thereto?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

AYES 90

NOES 36

Those who voted in the affirmative were:

Allen	Dudley	Hooper	Murphy G W	Staley
Averill	Duell	Hubbs	Nevins	Stanton
Baldwin	Eggleston	Hurd	Newton	Stevenson
Blue	Eichhorn	Lansing	Norton	Surpless
Brady	Ferguson	Lee	O'Brian	Volk
Brooks	Filley	Lewis	Parker	Voss
Brough	Francis	Lupton	Patton	Waddell
Brown	Frisbie	Maher	Phillips	Wainwright

Burhyte	Glore	Mance	Prentice	Walters
Chamberlain	Green	Marlatt	Ralston	Weimert
Cole	Gunderman	Matthews	Reece	West
Colné	Haines	Mead	Robinson	Whitley
Conklin	Hamilton	Merritt	Rogers	Whitney F G
Conrady	Hammond	Miller	Schoeneck	Whitney G H
De Groot	Hamn	Mills	Shuttleworth	Winters
Dominy	Harris	Moreland	Sinclair	Wood
Dowling	Hart	Morgan	Smith C	Yale
Draper	Hastings	Murphy C F	Smith Myron	Young

Those who voted in the negative were:

Baumann	Donnelly	Gluck	Jackson	Schwegler
Burns	Eagleton	Glynn	Loos	Sheridan
Burzynski	Fay	Hackett	Mallon	Smith A E
Cavanaugh	Foley C F	Harawitz	Mooney	Stern
Collins	Ganly	Harper	Northrup	Stratton
Croak	Garbe	Hoey	Oliver	Wagner
Cuvillier	Geoghagan	Holmes	Schmidt	Walters
Dobbs				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

A communication was received from Hon. John K. Sague, mayor of the city of Poughkeepsie, returning Assembly bill (No. 2036, Int. No. 1402) entitled "An act to establish a police pension fund for the city of Poughkeepsie," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Mr. Speaker stated the question to be "Shall this bill pass notwithstanding the failure of the mayor of the city of Poughkeepsie to return said bill within the time prescribed by law?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton

Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burbyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

A communication was received from Hon. John H. Coyne, mayor of the city of Yonkers, returning Assembly bill (No. 2126, Int. No. 1464) entitled "An act to amend chapter six hundred and forty-six of the Laws of nineteen hundred and five, entitled 'An act to provide for the construction and maintenance of a sanitary trunk sewer and a sanitary outlet sewer in the county of Westchester, and to provide means for the payment therefor,' generally," with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

A communication was received from Hon. Edward F. Brush, mayor of the city of Mount Vernon, returning Assembly bill (No. 2126, Int. No. 1464) entitled "An act to amend chapter six hundred and forty-six of the Laws of nineteen hundred and five, entitled 'An act to provide for the construction and maintenance of a sanitary trunk sewer and a sanitary outlet sewer in the county of Westchester, and to provide means for the payment therefor,' generally," with a message that said mayor and the common council of said city, after a public hearing thereon, do not approve said bill and do not accept the same.

Mr. Speaker stated the question to be "Shall this bill pass notwithstanding the objections of the mayor and the common council, the legislative body of the city of Mount Vernon, thereto?" and it was determined in the affirmative, a majority

of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

AYES 131

NOES 1

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Mead	Shuttleworth
Apgar	Dowling	Hamilton	Merritt	Sinclair
Averill	Draper	Hammond	Miller	Smith A E
Baldwin	Dudley	Hamn	Mills	Smith C
Baumann	Duell	Harawitz	Mooney	Smith Myron
Blue	Eagleton	Harper	Moreland	Staley
Bohan	Eichhorn	Harris	Morgan	Stern
Boshart	Farrell	Hart	Murphy C F	Stratton
Brady	Ferguson	Hoey	Murphy G W	Surpress
Brough	Feth	Holmes	Nevins	Todd
Brown	Filley	Hubbs	Northrup	Volk
Buckley	Flanagan	Hurd	Norton	Voss
Burhyte	Foley J A	Huth	O'Brian	Waddell
Burns	Fowler	Jacobs	Oliver	Wainwright
Burzynski	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Collins	Garbe	Lewis	Prentice	Weimert
Colné	Geoghagan	Loos	Prince	Wells
Conklin	Glore	Lowe	Ralston	Whitley
Conrady	Gluck	Lupton	Reece	Whitney F G
Croak	Glynn	Maher	Robinson	Whitney G H
Cunningham	Goldberg	Mallon	Rogers	Winters
Cuvillier	Green	Marlatt	Schmidt	Wood
De Groot	Gunderman	Matthews	Schoeneck	Yale
Dobbs	Hackett	McCue	Schwegler	Young
Dominy				

In the negative:

Sheridan

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

A message was received from the Senate, in words following:

IN SENATE, May 28, 1907.

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 592, reprint No. 1783, Rec. No. 239) entitled "An act to amend section three hundred and eighty-four-h of the Penal Code, relative to hours of labor to be required of employees of a corporation operating a line of railroad thirty miles in length, or over."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Page, and by unanimous consent, the same was amended as follows:

Page 2, line 19, strike out the words "September first," and insert the words "March fourth". Same page, line 20, strike out the word "seven" and insert the word "eight".

Said bill, as amended, was reprinted, re-engrossed, and, having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

LAFAYETTE B. GLEASON,

Clerk.

Said bill having been announced, Mr. Francis moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Said bill, as amended, was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same.

The Senate returned the Assembly bill (No. 534, Senate reprint No. 1757, Int. No. 518) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of George W. Roth against the State of New York for damages alleged to have been sustained by him while employed as a telegraph lineman in the services of the city of New York and in the department of police thereof, and to render judgment therefor," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 1 of title, before "jurisdiction" strike out "conferring" and insert "To confer". Same page, line 2 of title, after "the" insert "alleged". Same page, line 3 of title, after "New York" strike out rest of line and insert "for damages alleged to have been sustained by him, while employed as a telegraph lineman in the services of the city of New York and in the department of police thereof, and to render judgment therefor".

On page 2, line 14, after "act" strike out the period and insert a comma and also the following: "provided however that nothing in this act, nor the fact of the passage of the same, shall be deemed or construed to have acknowledged or created any liability on the part of the state, nor shall the passage of this act be construed as debarring the state from interposing any legal or equitable defense which it would otherwise have against the alleged claim, except the statute of limitation."

Mr. Schwegler moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpluss
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters

Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 327, Senate reprint No. 1758, Int. No. 326) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of any officer or member of the State militia for counsel fees and expenses, and to render judgment therefor," with a message that they have concurred in the passage of the same with the following amendments:

On page 2, line 2, after "rendered" insert "herein against the state,". Same page, line 7, after "be" strike out "so" and insert "satisfactorily". Same page, line 12, after "act" strike out the period and insert a comma and also the following: "provided however that nothing in this act, nor the fact of the passage of the same, shall be deemed or construed to have acknowledged or created any liability on the part of the state, nor shall the passage of this act be construed as debarring the state from interposing any legal or equitable defense which it would otherwise have against the alleged claim, except the statute of limitation."

Mr. A. E. Smith moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamm	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surplus

Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2467, Senate reprint No. 1741, Int. No. 862) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of James E. Shelland against the State of New York, for money alleged to have been expended and for services alleged to have been rendered as an officer in the Thirty-ninth Regiment of the New York State militia in the years eighteen hundred and sixty-one and eighteen hundred and sixty-two, and to render judgment therefor," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 4 of title, after "services" insert "alleged to have been".

On page 2, line 17, after "act" strike out the period (.) and insert a comma (,) and also the following: "provided however that nothing in this act, nor the fact of the passage of the same, shall be deemed or construed to have acknowledged or created any liability on the part of the state, nor shall the passage of this act be construed as debarring the state from interposing any legal or equitable defense which it would otherwise have against the alleged claim, except the statute of limitation."

Mr. C. Smith moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar

legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	West
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2471, Senate reprint No. 1728, Int. No. 1667) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Gustavus T. Kirby against the State for services alleged to have been performed, money expended and disbursements incurred as an attorney at law, and to render judgment therefor," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 3 of title, after "services" insert "alleged to have been". Same page, line 3, after "services" insert "alleged to have been".

On page 2, line 22, after "act" strike out the period and insert

a comma and also the following: "provided however that nothing in this act, nor the fact of the passage of the same, shall be deemed or construed to have acknowledged or created any liability on the part of the state, nor shall the passage of this act be construed as debarring the state from interposing any legal or equitable defense which it would otherwise have against the alleged claim, except the statute of limitation."

Mr. Merritt moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 369, Senate re-

print No. 1756, Int. No. 364) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Michael O'Keefe against the State of New York for damages alleged to have been sustained by him while in the employ of the State, and to render judgment therefor," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 4 of title, after "sustained" insert "by him". Same page and line, strike out the period after "state" and insert a comma and the following: "and to render judgment therefor".

On page 2, line 7, after "lished" strike out "by" and insert "in". Same page and line, after "in" insert "a". Same page, line 8, after "corporation" strike out "nor unless said" and insert "; and in case such liability shall be satisfactorily established, then the court of claims shall award to and render judgment for the claimant for such sum as shall be just and equitable, notwithstanding the lapse of time since the accruing of damages, provided the". Same page and line, after "claim" insert "hereunder". Same page, line 9, after "act" strike out the period and insert a comma and also the following: "provided however that nothing in this act, nor the fact of the passage of the same, shall be deemed or construed to have acknowledged or created any liability on the part of the state, nor shall the passage of this act be construed as debarring the state from interposing any legal or equitable defense which it would otherwise have against the alleged claim, except the statute of limitation."

Mr. Miller moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley

Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Garly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Glynn	Maher	Robinson	Whitney F G
Croak	Goldberg	Mallon	Rogers	Whitney G H
Cunningham	Green	Marlatt	Schmidt	Winters
Cuvillier	Gunderman	Matthews	Schoeneck	Wood
De Groot	Hackett	McCue	Schwegler	Yale
Dobbs	Haines	Mead	Sheridan	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 491, Senate reprint No. 1730, Int. No. 478) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the town of Indian Lake, Hamilton county, against the State for moneys paid out for services of fire wardens and persons assisting in extinguishing forest or woodland fires alleged to be due such town from the State, and to render judgment therefor," with a message that they have concurred in the passage of the same, with the following amendments:

On page 2, line 19, after "lished" strike out "by" and insert "in". Same page, line 20, after "corporation" strike out "nor unless said" and insert "; and in case such liability shall be satisfactorily established, then the court of claims shall award to and render judgment for the claimant for such sum as shall be just and equitable, notwithstanding the lapse of time since the accruing of damages, provided the". Same page and line, after "claim" insert "hereunder".

Same page, line 21, after "act" strike out the period and insert a comma and also the following: "provided however that nothing in this act, nor the fact of the passage of the same, shall be deemed or construed to have acknowledged or created any liability on the part of the state, nor shall the passage of this act be construed as debarring the state from interposing any legal or alleged claim, except the statute of limitation."

Mr. Mills moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpluss
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 366, Senate reprint No. 1759, Int. No. 361) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Albert Snyder against the State of New York for damages alleged to have been sustained by him in the construction of a State road in the town of Saugerties, Ulster county, New York, and to render judgment therefor" with a message that they

have concurred in the passage of the same, with the following amendments:

On page 1, line five of title, after "New York" strike out the period (.) and insert a comma (,) and also the following: "and to render judgment therefor".

On page 2, line 1, after "rendered" insert "herein". Same page, line 10, after "act" strike out the period (.) and insert a comma (,) and also the following: "provided however that nothing in this act, nor the fact of the passage of the same, shall be deemed or construed to have acknowledged or created any liability on the part of the state, nor shall the passage of this act be construed as debarring the state from interposing any legal or equitable defense which it would otherwise have against the alleged claim, except the statute of limitation."

Mr. Fowler moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters

Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 657, Senate reprint No. 1754, Int. No. 616) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of William Murtaugh against the State for services alleged to have been rendered by him to the State, and render judgment therefor," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 3 of title, after "services" insert "alleged to have been".

On page 2, line 7, after "evidence" strike out "of" and insert "in". Same page, line 13, after "act" strike out the period and insert a comma and also the following: "provided however that nothing in this act, nor the fact of the passage of the same, shall be deemed or construed to have acknowledged or created any liability on the part of the state, nor shall the passage of this act be construed as debarring the state from interposing any legal or equitable defense which it would otherwise have against the alleged claim, except the statute of limitation."

Mr. Hart moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern

Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2466, Senate re-print No. 1742, Int. No. 900) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of E. J. Lawless, doing business under the title name of the Lawless Paper Company, against the State of New York for damages alleged to have been sustained by him, and to render judgment therefor," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 5, after "damages" insert "alleged to have been".

On page 2, line 13, after "act" strike out the period and insert a comma, and also the following: "provided however that nothing in this act, nor the fact of the passage of the same, shall be deemed or construed to have acknowledged or created any liability on the part of the state, nor shall the passage of this act be construed as debarring the state from interposing any legal or equitable defense which it would otherwise have against the alleged claim, except the statute of limitation."

Mr. Hammond moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar

legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 900, Senate re-print No. 1755, Int. No. 829) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Morris C. Copeland and Lillian Copeland, against the State of New York, for damages alleged to have been sustained by them, and to render judgment therefor," with a message that they have concurred in the passage of the same, with the following amendment:

On page 2, line 17, after "act" strike out the period and insert a comma and also the following: "provided however that nothing in this act, nor the fact of the passage of the same, shall be deemed or construed to have acknowledged or created any lia-

bility on the part of the state, nor shall the passage of this act be construed as debarring the state from interposing any legal or equitable defense which it would otherwise have against the alleged claim, except the statute of limitation."

Mr. Lewis moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form: at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Stanley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynñ	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the Assembly bill (No. 675, Senate re-print No. 1749, Int. No. 630) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine

the alleged claim of Helen K. Sheehy against the State of New York for services alleged to have been performed by her as stenographer in the State Department of Public Instruction during the year nineteen hundred and three, and to render judgment therefor," with a message that they have concurred in the passage of the same, with the following amendments:-

On page 1, line 3 of title, after "services" insert "alleged to have been". On page 1, line 5 of title, after "three," insert "and to render judgment therefor."

On page 1, line 3, after "services" insert "alleged to have been".

On page 2, line 13, after "act" insert "provided, however, that nothing in this act, nor the fact of the passage of the same, shall be deemed or construed to have acknowledged or created any liability on the part of the state, nor shall the passage of this act be construed as debarring the state from interposing any legal or equitable defense which it would otherwise have against the alleged claim, except the statute of limitation."

Mr. Maher moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber

Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1993, Senate re-print No. 1747, Int. No. 1533) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit, and determine the alleged claim of Oliver A. Quayle, against the State, for damages alleged to have been sustained by him, and to render judgment therefor," with a message that they have concurred in the passage of the same, with the following amendments.

On page 1, line 3, after "printing" insert "alleged to have been".

On page 2, after "act" strike out the period (.) and insert a comma (,) and also insert the following: "provided however that nothing in this act, nor the fact of the passage of the same, shall be deemed or construed to have acknowledged or created any liability on the part of the state, nor shall the passage of this act be construed as debarring the state from interposing any legal or equitable defense which it would otherwise have against the alleged claim, except the statute of limitation."

Mr. Mead moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C

Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colté	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 376, Senate reprint No. 1745, Int. No. 371) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Manheim Brown, against the State, for damages alleged to have been sustained by him, and to render judgment therefor," with a message that they have concurred in the passage of the same, with the following amendment:

On page 2, line 11, after the word "act" strike out the period (.) and insert a comma (,) and also the following: "provided however that nothing in this act, nor the fact of the passage of the same, shall be deemed or construed to have acknowledged or created any liability on the part of the state, nor shall the passage of this act be construed as debarring the state from interposing any legal or equitable defense which it would otherwise have against the alleged claim, except the statute of limitation."

Mr. Stanton moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colne	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the Assembly bill (No. 1479, Senate reprint No. 1748, Int. No. 1227) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of A. L. Greene against the State for expenses alleged to have been incurred as a deputy factory inspector, and to render judgment therefor," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 3 of title, after "expenses" insert "alleged to have been".

On page 1, line 3, after "expenses" insert "alleged to have been".

On page 2, line 7, after "act" strike out the period (.) and insert a comma (,) and also the following: "provided however that nothing in this act, nor the fact of the passage of the same, shall be deemed or construed to have acknowledged or create any

liability on the part of the state, nor shall the passage of this act be construed as debarring the state from interposing any legal or equitable defense which it would otherwise have against the alleged claim, except the statute of limitation."

Mr. Staley moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2760, Senate re-print No. 1807, Int. No. 1592) entitled "An act to amend the Tax Law, in relation to ascertaining value of special franchises

and equalization thereof, powers of State Board of Tax Commissioners, review of assessments and collection of taxes," with a message that they have concurred in the passage of the same, with the following amendments:

On page 8, line 12, after "based" insert "A city, town or tax district entitled to notice, as provided in section forty-four of this act, shall have the right to reasonable notice and the right to be heard and to file affidavits and other proofs upon the question of the percentage of the full and actual value at which other real property therein is being assessed for local or state taxation, and no tentative valuation of a special franchise made pursuant to this act shall be reduced to equalize the same to the basis of the assessment for local or state purposes as herein provided until the city, town or tax district interested in the collection of taxes under such assessment shall have had notice and an opportunity to be heard and to file affidavits or other proofs as aforesaid, provided that such city, town or tax district shall have demanded such notice at least fifteen days before the time fixed for the hearing provided for in section forty-four of this act; and both such hearings may, in the discretion of the state board of tax commissioners, be held at the same time. Such notice shall be served in the manner prescribed in section forty-four of this chapter.

Eliminate all after word "direct" on page 16, line 19, down to subdivision 3 on page 17, line 3.

Page 17, after line 12, insert: "In case the final determination of such action or proceeding shall be in favor of the relator the excess of the tax so paid may be credited to the corporation relator so taxed or refunded under the provisions of the general tax law at the option of the relator."

Objection being made to the immediate consideration of said bill, Ordered, That said bill be referred to the committee on rules.

The Senate returned the Assembly bill (No. 2469, Senate reprint No. 1743, Int. No. 1207) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Arthur L. Condit, against the State of New York, for damages alleged to have been sustained by him in the autumn of nineteen hundred two, and to render judgment therefor," with a message that they have concurred in the passage of the same, with the following amendments:

On page 2, line 2, after "provided" insert "shall". Same page, line 4, after "established" strike out "by" and insert "in". Same page, line 6, after "established" insert a comma (.). Same

page, line 17, after "procedure" strike out the period and insert a comma, and also the following: "provided however that nothing in this act, nor the fact of the passage of the same, shall be deemed or construed to have acknowledged or created any liability on the part of the state, nor shall the passage of this act be construed as debarring the state from interposing any legal or equitable defense which it would otherwise have against the alleged claim, except the statute of limitation."

Mr. Filley moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 976, Senate reprint No. 1753, Int. No. 875) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Louis Windholz against the State for damages alleged to have been sustained by him, and to render judgment therefor," with a message that they have concurred in the passage of the same, with the following amendments:

On page 2, line 10, after "act" strike out the period (.) and insert a comma (,) and also the following: "provided however that nothing in this act, nor the fact of the passage of the same, shall be deemed or construed to have acknowledged or created any liability on the part of the state, nor shall the passage of this act be construed as debarring the state from interposing any legal or equitable defense which it would otherwise have against the alleged claim, except the statute of limitation."

Mr. Hammond moved to concur in the amendment.

Mr. Speaker put the question whether the House would concur to said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G

Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the Assembly bill (No. 213, Senate reprint No. 1752, Int. No. 213) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Mary H. Barrell against the State for damages alleged to have been sustained by her, and to render judgment therefor," with a message that they have concurred in the passage of the same, with the following amendments:

On page 2, line 12, after "established" strike out "by" and insert "in."

Same page, line 18, after "act" strike out the period and insert a comma and also the following: "provided however that nothing in this act, nor the fact of the passage of the same, shall be deemed or construed to have acknowledged or created any liability on the part of the state, nor shall the passage of this act be construed as debarring the state from interposing any legal or equitable defense which it would otherwise have against the alleged claim, except the statute of limitation."

Mr. Hackett moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamm	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern

Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpluss
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 775, Senate reprint No. 1725, Int. No. 65) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine all alleged claims against the State of New York filed before this act became a law, for damages alleged to have been sustained by such persons at and on Fourth Lake of the Fulton Chain of Lakes in the counties of Herkimer and Hamilton in the winter of nineteen hundred five and six, and spring of nineteen hundred and six, and to render judgment therefor," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 2 of title, after "all" insert "alleged". Same page, line 7 of title, after "six" strike out the period and insert a comma and the following: "And to render judgment therefor."

On page 2, line 9, after "established" strike out "by" and insert "in."

Same page, line 21, after "claims" strike out the period and insert a comma and the following: "provided however that nothing in this act, nor the fact of the passage of the same, shall be deemed or construed to have acknowledged or created any liability on the part of the state, nor shall the passage of this act be construed as debarring the state from interposing any legal or equitable defense which it would otherwise have against the alleged claim, except the statute of limitation."

Mr. Ferguson moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	McCue	Schoeneck	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2468, Senate reprint No. 1729, Int. No. 1558) entitled "An act to confer upon the Court of Claims jurisdiction to hear, audit and determine the alleged claim of the executors and devisees of Robert Earl, deceased, against the State for compensation alleged to have been discontinued, and to render judgment therefor," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 1 of title, after "confer" insert "jurisdiction".

On page 2, line 17, after "dividual" strike out the period and insert a comma and also insert "or corporation; and in". Same page and line, before "case" strike out "in".

Same page, line 21, after "act" strike out the period and insert a comma and also the following: "provided however that nothing in this act, nor the fact of the passage of the same, shall be deemed or construed to have acknowledged or created any liability on the part of the state, nor shall the passage of this act be construed as debarring the state from interposing any legal or equitable defense which it would otherwise have against the alleged claim, except the statute of limitation."

Mr. Ferguson moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surples
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 671, Senate reprint No. 1724, Int. No. 626) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the several alleged claims of Albert Cook, John F. Ball, Joseph Steckel, Frank E. Brady, Mrs. Robert Folts, Mrs. Peter Casler, Atorne L. Scenieth, J. H. McCartney, W. A. Rowlett, Gabriel Ohmman, Homer Carder, Orville Perkins, John D. Whipple, Mrs. George Reed, Mary I. Fox, John S. Watkins, James R. Hinchey, Edward R. Weaver and others against the State of New York for damages alleged to have been sustained by them by the overflow of Moyer creek, sometimes called Myers creek, in the village of Frankfort, New York, in the winter of nineteen hundred and three and of nineteen hundred and four, and to render judgment therefor," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 2 of title, after "the" strike out "respective" and insert "several alleged". Same page, line 12 of title, after "four" strike out the period and insert a comma and also the following: "And to render judgment therefor."

On page 2, line 15, after "rendered" insert "herein." Same page, line 18, after "established" strike out "by" and insert "in".

On page 3, line 3, after "claims" strike out the period and insert a comma and also the following: "provided however nothing in this act, nor the fact of the passage of the same, shall be deemed or construed to have acknowledged or created any liability on the part of the state, nor shall the passage of this act be construed as debarring the state from interposing any legal or equitable defense which it would otherwise have against the alleged claim, except the statute of limitation."

Mr. Ferguson moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Appar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2070, Senate re-print No. 1727, Int. No. 1557) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Daniel F. Strobel and Dennis Moynihan, doing business under the firm name of Strobel and Moynihan, against the State for damages alleged to have been sustained by them, and to render judgment therefor," with a message that they have concurred in the passage of the same, with the following amendment:

On page 2, line 22, after "act" strike out the period and insert a comma and also the following: "provided however that nothing in this act, nor the fact of the passage of the same, shall be deemed or construed to have acknowledged or created any liability on the part of the state, nor shall the passage of this act be construed as debarring the state from interposing any legal or equitable defense which it would otherwise have against the alleged claim, except the statute of limitation."

Mr. Ferguson moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoe	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrad	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the Assembly bill (No. 522, Senate reprint No. 1751, Int. No. 506) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Matthew Edgar, William John Edgar, James H. Akin and Thomas Parker against the State of New York for damages alleged to have been sustained arising out of the erection and maintenance of the sewage disposal plant of the Western House

of Refuge for Women at Albion, New York, and to render judgment therefor," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 4 of title, after "damages" insert "alleged to have been sustained." Same page, line 6, after "New York" strike out the period and insert a comma, and also the following: "And to render judgment therefor."

On page 2, line 14, after "rendered" insert "herein."

On page 2, line 23, after "act" strike out the period and insert a comma, and also the following: "Provided, however, that nothing in this act, nor the fact of the passage of the same, shall be deemed or construed to have acknowledged or created any liability on the part of the state, nor shall the passage of this act be construed as debarring the state from interposing any legal or equitable defense which it would otherwise have against the alleged claim, except the statute of limitation."

Mr. Eggleston moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surplless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G

Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2472, Senate reprint No. 1744, Int. No. 1657) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of James P. Cunningham against the State of New York for damages alleged to have been sustained by him, and to render judgment therefor," with a message that they have concurred in the passage of the same, with the following amendment:

On page 2, line 16, after "act" strike out the period (.) and insert a comma(,) and also the following: "Provided, however, that nothing in this act, nor the fact of the passage of the same, shall be deemed or construed to have acknowledged or created any liability on the part of the state, nor shall the passage of this act be construed as debarring the state from interposing any legal or equitable defense which it would otherwise have against the alleged claim, except the statute of limitation."

Mr. Dominy moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smit Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton

Brady	Ferguson	Holmes	Nevins	Surplless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the Assembly bill (No. 2474, Senate reprint No. 1733, Int. No. 1479) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of Clarence W. Francis against the State for alleged disbursements and expenditures by him as deputy attorney-general of the State of New York, and to render judgment therefor," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 3 of title, after "for" insert "alleged."

Same page, line 3, after "moneys" insert "alleged to have been."

On page 2, line 6, after the word "herein" insert "against the state". Same page, line 8, after "established" insert "in evidence". Same page, line 15, after "arose" strike out the period and insert a comma and also the following: "Provided the claim hereunder is filed with the court of claims within one year after the passage of this act, provided however that nothing in this act, nor the fact of the passage of the same, shall be deemed or construed to have acknowledged or created any liability on the part of the state, nor shall the passage of this act be construed as debarring the state from interposing any legal or equitable defense which it would otherwise have against the alleged claim, except the statute of limitation."

Mr. Cunningham moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur

in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1481, Senate reprint No. 1732, Int. No. 1229) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the First National Bank of Ellenville, New York, against the State of New York for damages alleged to have been sustained, and to render judgment therefor," with a message that they have concurred in the passage of the same with the following amendments:

On page 1, line 3 of title, after "New York" insert "for damages alleged to have been sustained".

Same page, line 6, after "and" insert "six", strike out "five".

On page 2, line 8, after "the" insert "facts proved shall make out a case against the state, which would create a liability were the same established in evidence in a court of law or equity against an individual or corporation; and in case such liability shall be satisfactorily established, then the court of claims shall award to and render judgment for the claimant for such sum as shall be just and equitable, notwithstanding the lapse of time since the accruing of damages, provided the". Same page, line 9, after "within" strike out "a" and insert "one." Same page and line, after "act" strike out the period and insert a comma and also the following: "provided however that nothing in this act, nor the fact of the passage of the same, shall be deemed or construed to have acknowledged or created any liability on the part of the state, nor shall the passage of this act be construed as debarring the state from interposing any legal or equitable defense which it would otherwise have against the alleged claim, except the statute of limitation."

Mr. Cunningham moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber

Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1869, Senate re-print No. 1746, Int. No. 1454) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of William W. Bryan for damages arising from the sale by the State Comptroller of the north half of lot number seven, great lot number seven, seventeenth allotment, Kayaderoseras, for the alleged non-payment of the taxes of eighteen hundred and ninety-six, town of Greenfield, Saratoga county, at tax sale of nineteen hundred, alleged to have been sustained by him, and to render judgment therefor," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 2 of title, after "the" insert "alleged".

On page 2, line 7, after "rendered" insert "herein". Same page, line 8, after "proved" strike out "would" and insert "shall". Same page, line 10, after "evidence" strike out "against an individual or corporation". Same page, line 11, after "equity" insert "against an individual or corporation". Same page, line 13, after "equitable" strike out the period (.) and insert a comma (,) and also the following: "notwithstanding the lapse of time since the accruing of damages, provided the claim hereunder is filed with the court of claims within one year after the passage of this act, provided, however, that nothing in this act, nor the fact of the passage of the same, shall be deemed or construed to have acknowledged or created any liability on the part of the state, nor shall the passage of this act be construed as debaring the state from interposing any legal or equitable defense which it would otherwise have against the alleged claim, except the statute of limitation."

Mr. Croak moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpluss
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 935, Senate re-print No. 1750, Int. No. 853) entitled "An act to confer jurisdiction upon a Court of Claims to hear, audit and determine the alleged claim of William Conway, as administrator of the goods, chattels, credits and personal property of James Hendy, deceased, against the State of New York, for damages alleged to have been sustained, for the death of said James Hendy, deceased, and to

render judgment therefor," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 5 of title, after "damages" insert "alleged to have been sustained". Same page, line 6, after "deceased" strike out the "period" and insert a "comma," and also the following: "and to render judgment therefor."

On page 2, line 9, after "rendered" insert "herein". Same page, line 18, after "act" strike out the period and insert a comma, and also the following: "provided however that nothing in this act, nor the fact of the passage of the same, shall be deemed or construed to have acknowledged or created any liability on the part of the state, nor shall the passage of this act be construed as debarring the state from interposing any legal or equitable defense which it would otherwise have against the alleged claim, except the statute of limitation."

Mr. Conklin moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert

Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 468, Senate reprint No. 1713, Int. No. 455) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Frances Truszkowska against the State of New York for damages alleged to have been sustained by her on the State Reservation at Niagara, on or about the fifth day of July, nineteen hundred and three, and to render judgment therefor," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 5 of title, after "three" strike out the period and insert a comma and also the following: "and to render judgment therefor."

On page 2, line 10, after "act" strike out the period and insert a comma and also the following: "provided however that nothing in this act, nor the fact of the passage of the same, shall be deemed or construed to have acknowledged or created any liability on the part of the state, nor shall the passage of this act be construed as debarring the state from interposing any legal or equitable defense which it would otherwise have against the alleged claim, except the statute of limitation."

Mr. Burzynski moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surplless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schweg'er	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2270, Senate reprint No. 1808, Int. No. 611) entitled "An act to amend the Greater New York charter, relative to salaries of the members of the fire department," with a message that they have concurred in the passage of the same, with the following amendments:

On page 2, line 18, strike out the brackets around the word "twelve". Same page and line, before the word "hundred" strike out the word "thirteen". Same page, line 19, strike out th brackets around the words "one thousand". Same page and line, after the word "thousand" strike out "one thousand and two". Same page, line 20, strike out the word "hundred". Same page, lines 20 and 21, after "eight" strike out "eleven hundred" and insert in lieu thereof "one thousand".

Mr. Wagner moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 371, Senate reprint No. 1617, Int. No. 366) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for grouse, woodcock, quail and squirrels in the county of Washington," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 7, after the word "woodcock" insert the word "and". Same page and line after the word "quail" strike out

"and gray". Same page, line 8, before the word "shall" strike out the word "squirrels".

Mr. Norton moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Alen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surplless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 316, Senate reprint No. 1760, Int. No. 315) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Jennie Mullady, as administratrix, with the will annexed of the estate of Patrick Mullady, deceased, against

the State for damages alleged to have been sustained and to render judgment therefor," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 1 of title, before "jurisdiction" strike out "conferring" and insert "to confer". Same page, line 4 of title, after "state" insert "for damages alleged to have been sustained".

On page 1, line 5, after "damages" insert "alleged to have been sustained".

On page 2, line 12, after "act" strike out the period (.) and insert a comma (,) and also the following: "provided however that nothing in this act, nor the fact of the passage of the same, shall be deemed or construed to have acknowledged or created any liability on the part of the state, nor shall the passage of this act be construed as debarring the state from interposing any legal or equitable defense which it would otherwise have against the alleged claim, except the statute of limitation."

Mr. Gray moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Cunningham	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber

Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

Mr. Dobbs offered for the consideration of the House a resolution, in the words following:

Resolved, That the brass band of the New York Catholic Protector of Westchester, New York city, be invited to be present and play upon the day of adjournment, sine die, of this Assembly, and that the expense of said band for transportation and meals not to exceed the sum of two hundred dollars be paid from the appropriation for the contingent expenses of the Legislature.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley

Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, May 1, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1425, Int. No. 1180) entitled "An act to fix the salary of a district attorney of Suffolk county hereafter elected."

CHARLES E. HUGHES.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, May 31, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 2330, Int. No. 1687) entitled "An act to amend chapter one hundred and sixty-seven of the Laws of nineteen hundred and six, entitled 'An act to make the office of county clerk of Wyoming county a salaried office, and regulating the management of said office,' generally."

CHARLES E. HUGHES.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, May 23, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 988,

Senate reprint No. 1391, Int. No. 888) entitled "An act in relation to servers of jury notices in the office of the commissioner of jurors of the county of Kings."

CHARLES E. HUGHES.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, *May*. 30, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 455, Senate reprint No. 1338, Int. No. 446) entitled "An act to better protect the lives of railroad employees."

CHARLES E. HUGHES.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, *April* 8, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1375, Senate reprint No. 901, Int. No. 593) entitled "An act to amend the Code of Civil Procedure, relative to the compensation of deputy sheriffs and constables attending courts in Richmond county."

CHARLES E. HUGHES.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, *May* 28, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 2302, Senate reprint No. 1489, Int. No. 1517) entitled "An act to

amend chapter seven hundred and sixty of the Laws of eighteen hundred and ninety-seven, entitled 'An act to revise the charter of the city of Watertown,' in relation to the liability of the city."

CHARLES E. HUGHES.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, April 5, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 678, Int. No. 635) entitled "An act to amend chapter three hundred and ninety-two of the Laws of eighteen hundred and ninety-six, entitled 'An act to regulate the commitment and discharge of certain prisoners, tramps and vagrants in Richmond county, and to prescribe the effect thereof, to provide for the support of the prisoners in the jail in the county of Richmond, and to fix the duties and compensation of the sheriff of said county and of certain employees in the jail of said county,' in relation to salary of jailor."

CHARLES E. HUGHES.

Mr. Schulz offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 2352, Int. No. 221) entitled "An act to amend section twelve hundred and forty-two of the Code of Civil Procedure, relating to the sale of real property," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Croak offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 678, Int. No. 635) entitled "An act to amend chapter three hundred and ninety-two of the Laws of eighteen hundred and ninety-six, entitled 'An act to regulate the commitment and discharge of

certain prisoners, tramps and vagrants in Richmond county, and to prescribe the effect thereof, to provide for the support of the prisoners in the jail in the county of Richmond, and to fix the duties and compensation of the sheriff of said county and of certain employees in the jail of said county, in relation to salary of jailor," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Croak offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 1375, Senate reprint No. 901, Int. No. 593) entitled "An act to amend the Code of Civil Procedure, relative to the compensation of deputy sheriffs and constables attending courts in Richmond county," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Wood offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 2302, Senate reprint No. 1489, Int. No. 1517) entitled "An act to amend chapter seven hundred and sixty of the Laws of eighteen hundred and ninety-seven, entitled 'An act to revise the charter of the city of Watertown,' in relation to the liability of the city," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Baldwin offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 455, Senate reprint No. 1338, Int. No. 446) entitled "An act to better protect the lives of railroad employees," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the bill (No. 2826, Int. No. 1933) entitled "An act to legalize the acts of Edward B. Thompson performed as commissioner of deeds."

Also, the bill (No. 2512, Int. No. 1774) entitled "An act to amend the Insurance Law, relative to the incorporation of fire insurance corporations."

Also, the bill (No. 2601, Int. No. 1819) entitled "An act to amend the Business Corporations Law, relative to the incorporation of educational institutions."

Also, the bill (No. 2315, Int. No. 598) entitled "An act to amend the Lien Law, in relation to liens on personal property," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 937, reprint No. 2828, Int. No. 855) entitled "An act in relation to claims against the village of Ellenville for damages for personal injury or injury to property," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the Assembly bill (No. 2356, Senate reprint No. 1492, Int. No. 452) entitled "An act to amend the Public Health Law by defining optometry and regulating the practice thereof."

Also, Assembly bill (No. 371, Senate reprint No. 1617, Int. No. 366) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for grouse, woodcock, quail and squirrels in the county of Washington."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the Assembly bill (No. 2270, Senate reprint No. 1808, Int. No. 611) entitled "An act to amend the Greater New York charter, relative to salaries of the members of the fire department."

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 2824, Int. No. 1931) entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of refunding one hundred thousand dollars of water fund bonds due and paid October first, nineteen hundred and three, also for refunding one hundred thousand dollars of water fund bonds due and paid in error in the year eighteen hundred and eighty-one," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Buffalo.

The Senate returned the bill (No. 2823, Int. No. 1930) entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of raising money to construct, maintain, extend, operate, repair, and regulate water works," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Buffalo.

The Senate returned the bill (No. 2721, Int. No. 1453) entitled "An act to amend the Greater New York charter, relative to employees of water works companies," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 2825, Int. No. 1932) entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of refunding a certain certificate of indebtedness payable July first, nineteen hundred and eight," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Buffalo.

The Senate returned the Assembly bill (No. 2414, Senate reprint No. 1578, Int. No. 1720) entitled "An act to amend section one hundred and ninety-three of chapter two hundred and seventy-five, of the Laws of eighteen hundred and ninety-nine, en-

titled 'An act to revise the charter of the city of Gloversville,' in relation to the purchase of school sites and the erection and enlargement of school buildings; tax collections; the borrowing of money and issue and sale of bonds."

Ordered, That the Clerk transmit a certified copy thereof to mayor of the city of Gloversville.

The Senate returned the Assembly bill (No. 2378, Senate reprint No. 1606, Int. No. 1447) entitled "An act to amend the Greater New York charter, relative to vacations of employees whose compensation is fixed by the day or hour."

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the Assembly bill (No. 935, Senate reprint No. 1750, Int. No. 853) entitled "An act to confer jurisdiction upon a Court of Claims to hear, audit and determine the alleged claim of William Conway, as administrator of the goods, chattels, credits and personal property of James Hendy, deceased, against the State of New York, for damages alleged to have been sustained for the death of said James Hendy, deceased, and to render judgment therefor."

Also, Assembly bill (No. 468, Senate reprint No. 1713, Int. No. 455) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Frances Truskowska against the State of New York for damages alleged to have been sustained by her on the State Reservation at Niagara on or about the fifth day of July, nineteen hundred and three, and to render judgment therefor."

Also, Assembly bill (No. 1869, Senate reprint No. 1746, Int. No. 1454) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of William W. Bryan for damages arising from the sale by the State Comptroller of the north half of lot number seven, great lot number seven, seventeenth allotment, Kayaderosseras patent, for the alleged nonpayment of the taxes of eighteen hundred and ninety-six, town of Greenfield, Saratoga county, at tax sale of nineteen hundred, alleged to have been sustained by him, and to render judgment therefor."

Also, Assembly bill (No. 1481, Senate reprint No. 1732, Int. No. 1229) entitled "An act to confer jurisdiction upon the Court

of Claims to hear, audit and determine the alleged claim of the First National Bank of Ellenville, New York, against the State of New York for damages alleged to have been sustained, and to render judgment therefor."

Also, Assembly bill (No. 2474, Senate reprint No. 1733, Int. No. 1479) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of Clarence W. Francis, against the State, for alleged disbursements and expenditures by him as deputy attorney-general of the State of New York, and to render judgment therefor."

Also, Assembly bill (No. 2472, Senate reprint No. 1744, Int. No. 1657) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of James P. Cunningham, against the State of New York, for damages alleged to have been sustained by him, and to render judgment therefor."

Also, Assembly bill (No. 522, Senate reprint No. 1751, Int. No. 506) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Matthew Edgar, William John Edgar, James H. Akin and Thomas Parker against the State of New York, for damages alleged to have been sustained, arising out of the erection and maintenance of the sewage disposal plant of the Western House of Refuge for Women, at Albion, New York, and to render judgment therefor."

Also, Assembly bill (No. 2070, Senate reprint No. 1727, Int. No. 1557) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Daniel F. Strobel and Dennis Moynahan, against the State for damages alleged to have been sustained by them and to render judgment therefor."

Also, Assembly bill (No. 671, Senate reprint No. 1724, Int. No. 626) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the several alleged claims of Albert Cook, John F. Ball, Joseph Steckel, Frank E. Brady, Mrs. Robert Folts, Mrs. Peter Casler, Atorne L. Scenieth, J. H. McCartney, W. A. Rowlett, Gabriel Ohman, Homer Carder, Orville Perkins, John D. Whipple, Mrs. George Reed, Mary I. Fox,

John S. Watkins, James R. Hinchey, Edward R. Weaver and others against the State of New York, for damages alleged to have been sustained by them by the overflow of Moyer creek, sometimes called Myers creek, in the village of Frankfort, New York, in the winter of nineteen hundred and three and of nineteen hundred and four, and to render judgment therefor."

Also, Assembly bill (No. 2468, Senate reprint No. 1729, Int. No. 1558) entitled "An act to confer upon the Court of Claims jurisdiction to hear, audit and determine the alleged claim of the executors and devisees of Robert Earl, deceased, against the State, for compensation alleged to have been discontinued, and to render judgment therefor."

Also, Assembly bill (No. 775, Senate reprint No. 1725, Int. No. 65) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine all alleged claims against the State of New York, filed before this act becomes a law, for damages alleged to have been sustained by such persons at and on Fourth lake of the Fulton Chain of lakes in the counties of Herkimer and Hamilton in the winter of nineteen hundred five and six, and spring of nineteen hundred and six, and to render judgment therefor."

Also, Assembly bill (No. 2469, Senate reprint No. 1743, Int. No. 1207) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Arthur L. Condit, against the State of New York, for damages alleged to have been sustained by him in the autumn of nineteen hundred two, and to render judgment therefor."

Also, Assembly bill (No. 366, Senate reprint No. 1759, Int. No. 361) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Albert Snyder against the State of New York, for damages alleged to have been sustained by him in the construction of a State road in the town of Saugerties, Ulster county, New York, and to render judgment therefor."

Also, Assembly bill (No. 316, Senate reprint No. 1760, Int. No. 315) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Jennie Mullady, as administratrix with the will annexed of the estate

of Patrick Mullady, deceased, against the State for damages alleged to have been sustained and to render judgment therefor."

Also, Assembly bill (No. 213, Senate reprint No. 1752, Int. No. 213) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Mary H. Barrell against the State for damages alleged to have been sustained by her, and to render judgment therefor."

Also, Assembly bill (No. 976, Senate reprint No. 1753, Int. No. 875) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Louis Windholz against the State for damages alleged to have been sustained by him, and to render judgment therefor."

Also, Assembly bill (No. 2466, Senate reprint No. 1742, Int. No. 900) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of E. J. Lawless, doing business under the title name of the Lawless Paper Company, against the State of New York, for damages alleged to have been sustained by him, and to render judgment therefor."

Also, Assembly bill (No. 657, Senate reprint No. 1754, Int. No. 616) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of William Murtaugh against the State for services alleged to have been rendered by him to the State, and render judgment therefor."

Also, Assembly bill (No. 900, Senate reprint No. 1755, Int. No. 829) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Morris C. Copeland and Lillian Copeland against the State of New York, for damages alleged to have been sustained by them and to render judgment therefor."

Also, Assembly bill (No. 675, Senate reprint No. 1749, Int. No. 630) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Helen K. Sheehy against the State of New York for services alleged to have been performed by her as stenographer in the State Department of Public Instruction during the year nineteen hundred and three, and to render judgment therefor."

Also, Assembly bill (No. 1993, Senate reprint No. 1747, Int. No. 1533) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Oliver A. Quayle against the State for damages alleged to have been sustained by him and to render judgment therefor."

Also, Assembly bill (No. 2471, Senate reprint No. 1728, Int. No. 1667) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Gustavus T. Kirby against the State, for services alleged to have been performed, money expended and disbursements incurred as an attorney at law, and to render judgment therefor."

Also, Assembly bill (No. 369, Senate reprint No. 1756, Int. No. 364) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Michael O'Keefe against the State of New York, for damages alleged to have been sustained by him while in the employ of the State, and to render judgment therefor."

Also, Assembly bill (No. 491, Senate reprint No. 1730, Int. No. 478) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the town of Indian Lake, Hamilton county, against the State for moneys paid out for services of fire wardens and persons assisting in extinguishing forest or woodland fires, alleged to be due such town from the State, and to render judgment therefor."

Also, Assembly bill (No. 534, Senate reprint No. 1757, Int. No. 518) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of George W. Roth, against the State of New York for damages alleged to have been sustained by him while employed as a telegraph lineman in the service of the city of New York and in the department of police thereof, and to render judgment therefor."

Also, Assembly bill (No. 327, Senate reprint No. 1758, Int. No. 326) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of any officer or member of the State Militia for counsel fees and expenses, and to render judgment therefor."

Also, Assembly bill (No. 2467, Senate reprint No. 1741, Int.

No. 862) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of James E. Shelland against the State of New York, for money alleged to have been expended and for services alleged to have been rendered as an officer in the Thirty-ninth Regiment of the New York State Militia in the years eighteen hundred and sixty-one and eighteen hundred and sixty-two and to render judgment therefor."

Also, Assembly bill (No. 376, Senate reprint No. 1745, Int. No. 371) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Mannheim Brown, against the State, for damages alleged to have been sustained by him, and to render judgment therefor."

Also, Assembly bill (No. 1479, Senate reprint No. 1748, Int. No. 1227) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of A. L. Greene against the State for expenses alleged to have been incurred as a deputy factory inspector, and to render judgment therefor."

Also, Assembly bill (No. 1142, Senate reprint No. 1718, Int. No. 985) entitled "An act relating to retirement of veterans employed by the State or any civil division thereof; granting pensions to veterans and providing for the payment thereof."

Also, Assembly bill (No. 1203, Senate reprint No. 1619, Int. No. 1039) entitled "An act to authorize the Comptroller of the State to hear and determine the application of Arthur Dreyer for the cancellation of a tax sale made in the year eighteen hundred and ninety-five of lot number twenty on map of property on the north shore of Staten island, belonging to John C. Thompson, situated in the former town of Northfield, now the Third ward of the borough of Richmond, in Richmond county."

Also, Assembly bill (No. 2113, Senate reprint No. 1620, Int. No. 526) entitled "An act to amend chapter six hundred and nineteen of the Laws of nineteen hundred and six, entitled 'An act to authorize the Comptroller of the State of New York to hear and determine the application of J. G. Stevens for the cancellation of the tax sale of eighteen hundred and seventy-seven of a portion of lot number fifty-nine of township number six, in the

Old Military Tract in the town of Ellenburgh, county of Clinton,' in relation to the application of Charles Stevens, successor in interest of J. G. Stevens."

Also, Assembly bill (No. 2250, Senate reprint No. 1761, Int. No. 798) entitled "An act to provide for the construction of a stone or concrete retaining wall on the northerly side of Oneida creek in the village of Oneida Castle, and making an appropriation therefor."

Also, Assembly bill (No. 1209, Senate reprint No. 1784, Int. No. 1045) entitled "An act to amend the Code of Civil Procedure, in relation to the salary of the deputy clerk of the Court of Claims."

Also, Assembly bill (No. 2152, Senate reprint No. 1690, Int. No. 1593) entitled "An act to amend the Tax Law, and providing for the assessment as a special franchise by the State Board of Tax Commissioners of an occupancy of the streets, highways and public places, where such occupancy has not been ratified by grant from public authority."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *June 4, 1907.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor requesting the return of Senate bill (No. 1377, Rec. No. 352) entitled "An act to prescribe regulations for the review of apportionments by the Legislature or other bodies," for the purpose of amendment.

By order of the Senate,

LAFAYETTE B. GLEASON,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 2352, Int. No. 221), entitled "An act to amend section

twelve hundred and forty-two of the Code of Civil Procedure, relating to the sale of real property," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 2009, Senate reprint No. 1589, Int. No. 1534), entitled "An act authorizing and empowering the board of estimate and apportionment of the city of New York, in its discretion, to take action relative to the necessary expenses incurred in relation to acquiring title to property at the foot of Housman avenue, borough of Richmond, city of New York," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. J. H. Dealy, mayor of the city of Amsterdam, returning Assembly bill (No. 2394, Int. No. 1186), entitled "An act to provide for the repaving or resurfacing of East Main street and Market street, in the city of Amsterdam, and to provide for meeting the expense thereof," with a message that said mayor and the common council of said city, after a public hearing thereon, do not approve said bill and do not accept the same.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 1569, Senate reprint No. 1609, Int. No. 1276), entitled "An act to amend the Greater New York charter, in relation to salary of city marshals," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 1513, Int. No. 653), entitled "An act to amend the Greater New York charter, in relation to the police department," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 1506, Senate reprint No. 1568, Int. No. 1017), entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain assessments upon certain real property of the Trinity Methodist Episcopal Church and the Church of Saint Mary Star of the Sea, in said city," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 51, Int. No. 51), entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain assessments and sales to the city of New York for assessments affecting property in the city of New York, and directing the comptroller to mark such assessments accordingly," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Moreland, the House adjourned.

WEDNESDAY, JUNE 5, 1907.

The House met pursuant to adjournment.

Prayer by Rev. Charles W. Heisler.

On motion of Mr. Moreland, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. Duell gives notice that he requests that Assembly bill (No. 2866, Int. No. 1958) entitled "An act creating a board of public works in the city of New Rochelle, prescribing its powers and duties, conferring upon such board the duties of the commissioners of sewers, abolishing the office of city engineer, and increasing the duties of superintendent of streets," a copy of

which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Merritt gives notice that he requests that Assembly bill (No. 2871, Int. No. 1963) entitled "An act to legalize the official acts of William McCormick, as justice of the peace of the town of Potsdam, county of Saint Lawrence," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Prentice gives notice that he requests that Assembly bill (No. 2869, Int. No. 1961) entitled "An act to provide for the appointment of a commission to investigate the Torrens system of registering land titles, and to report on the expediency of the adoption of such system by the State of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Phillips gives notice that he requests that Assembly bill (No. 2760, Senate reprint No. 1807, Int. No. 1592) entitled "An act to amend the Tax Law, in relation to ascertaining value of special franchises and equalization thereof, powers of State Board of Tax Commissioners, review of assessments and collection of taxes," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Dowling gives notice that he requests that Assembly bill (No. 310, Senate reprint No. 1383, Int. No. 309) entitled "An act for a connecting railroad in the borough of Manhattan, between the Brooklyn bridge and the Williamsburgh bridge, in the city of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Moreland gives notice that he requests that the Senate bill

(No. 1800, Rec. No. 483) entitled "An act to amend the Public Officers Law relative to the powers and duties of public officers," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that Senate bill (No. 972, Rec. No. 405) entitled "An act to amend the Penal Code, in relation to Sunday baseball in the city of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Burns gives notice that he requests that the Senate bill (No. 1622, Rec. No. 400) entitled "An act to amend the Greater New York charter by the amendment of section one hundred and fifty-one, to provide for the establishment of a bureau of investigation of assessed valuations of real estate owned by the city of New York, located outside of said city," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Phillips gives notice that he requests that the Senate bill (No. 785, Rec. No. 141) entitled "An act to amend the Penal Code, in relation to larceny," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. O'Brian gives notice that he requests that the Senate bill (No. 1695, Rec. No. 443) entitled "An act to amend the Banking Law so as to require banks or individual bankers to keep a lawful money reserve," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Flanagan gives notice that he requests that the Senate bill (No. 1670, Rec. No. 440) entitled "An act for the relief of William Baumgarten, a volunteer fireman, for injuries received while a

member of Woodside Hook and Ladder Company Number Three, a volunteer fire company of the city of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Weimert gives notice that he requests that the Senate bill (No. 1433, Rec. No. 477) entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' in relation to interpreter in proceedings before the Police Court and justice," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Mead gives notice that he requests that the Senate bill (No. 1710, Rec. No. 476) entitled "An act to authorize the city of Cohoes to borrow money for the construction of a bridge over the first branch of the Mohawk river at Ontario street in said city," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Ralston gives notice that he requests that the Senate bill (No. 1150, Rec. No. 233) entitled "An act authorizing the board of estimate and apportionment of the city of New York to inquire into the alleged claim of George R. Dubois, a janitor in the Justices' Court of the former city of Brooklyn, first district, for services rendered as such, from March first, eighteen hundred and ninety-seven, to December thirty-first, eighteen hundred and ninety-seven, both dates inclusive, and for services rendered as janitor of the Municipal Court of the city of New York, borough of Brooklyn, first district, from January first, eighteen hundred and ninety-eight, to August twelfth, nineteen hundred and three, both dates inclusive, and authorizing payment of the same," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Patton gives notice that he requests that the Senate bill

(No. 1364, Rec. No. 378) entitled "An act to repeal chapter nine hundred twenty-seven of the Laws of eighteen hundred ninety-five, relative to the naturalization of aliens in the courts of this State," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Merritt gives notice that he requests that the Senate bill (No. 752, Rec. No. 350) entitled "An act to amend chapter one hundred and forty-seven of the Laws of nineteen hundred and three, entitled 'An act making provision for issuing bonds to the amount of not to exceed one hundred and one million dollars, for the improvement of the Erie canal, the Oswego canal, and the Champlain canal, and providing for a submission of the same to the people, to be voted upon at the general election to be held in the year nineteen hundred and three,' in relation to the lease or sale of water," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Hubbs gives notice that he requests that the Senate bill (No. 1427, Rec. No. 428) entitled "An act to amend the County Law, in relation to giving boards of supervisors authority to fix the compensation of town boards," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

By unanimous consent, Mr. West, by request, introduced a bill entitled "An act in relation to the assessment of taxes in incorporated villages" (Int. No. 1967), which was read the first time and referred to the committee on affairs of villages.

By unanimous consent, Mr. Yale introduced a bill entitled "An act to legalize the proceedings of the board of trustees, and of the qualified electors of the village of Brewster, Putnam county, New York, relative to the submission and adoption of propositions to establish a system of water works, and to borrow fifty thousand dollars upon the bonds of the said village for the purpose of purchasing, constructing and maintaining a system of water works

for supplying the village of Brewster and its inhabitants with water" (Int. No. 1968), which was read the first time and referred to the committee on the affairs of villages.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Duell (No. 2866, Int. No. 1958), entitled "An act creating a board of public works in the city of New Rochelle, prescribing its powers and duties, conferring upon such board the duties of the commissioners of sewers, abolishing the office of city engineer and increasing the duties of superintendent of streets."

Also, Assembly bill introduced by Mr. Merritt (No. 2871, Int. No. 1963), entitled "An act to legalize the official acts of William McCormick, as justice of the peace of the town of Potsdam, county of Saint Lawrence."

Also, Assembly bill introduced by Mr. Prentice (No. 2869, Int. No. 1961), entitled "An act to provide for the appointment of a commission to investigate the Torrens system of registering land titles, and to report on the expediency of the adoption of such system by the State of New York," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Dowling (No. 310, Sen. reprint No. 1338, Int. No. 309), entitled "An act to provide for a connecting railroad in the borough of Manhattan between the Brooklyn bridge and the Williamsburg bridge, in the city of New York."

Also, Assembly bill introduced by Mr. Phillips (No. 2760, Sen. reprint No. 1807, Int. No. 1592) entitled "An act to amend the Tax Law in relation to ascertaining value of special franchises and equalization thereof, power of State Board of Tax Commissioners, review of assessments and collection of taxes," reported in favor of the passage of the same without

amendment, and that the same be made a special order on third reading immediately, which report was agreed to, and said bills ordered made special orders on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Thompson (No. 972, Rec. No. 405), entitled "An act to amend the Penal Code, in relation to Sunday baseball in the city of New York."

Also, Senate bill introduced by Mr. Davis (No. 1800, Rec. No. 483), entitled "An act to amend the Public Officers' Law, relative to the powers and duties of public officers."

Also, Senate bill introduced by Mr. Hinman (No. 785, Rec. No. 141), entitled "An act to amend the Penal Code, in relation to larceny."

Also, Senate bill introduced by Mr. McCarren (No. 1622, Rec. No. 400), entitled "An act to amend the Greater New York charter, by the amendment of section one hundred and fifty-one, to provide for the establishment of a bureau of investigation of assessed valuations of real estate owned by the city of New York, located outside of said city."

Also, Senate bill introduced by Mr. Hill (No. 1695, Rec. No. 443), entitled "An act to amend the Banking Law so as to require banks or individual bankers to keep a lawful money reserve."

Also, Senate bill introduced by Mr. Harte (No. 1670, Rec. No. 440), entitled "An act for the relief of William Baumgarten, a volunteer fireman, for injuries received while a member of Woodside Hook and Ladder Company Number Three, a volunteer fire company of the city of New York."

Also, Senate bill introduced by Mr. Grattan (No. 1710, Rec. No. 476), entitled "An act to authorize the city of Cohoes to borrow money for the construction of a bridge over the first branch of the Mohawk river at Ontario street in said city."

Also, Senate bill introduced by Mr. Hill (No. 1433, Rec. No. 477), entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' in relation to interpreter in proceedings before the Police Court and justice."

Also, Senate bill introduced by Mr. Davis (No. 1364, Rec.

No. 378), entitled "An act to repeal chapter nine hundred and twenty-seven of the Laws of eighteen hundred and ninety-five, relative to the naturalization of aliens in courts of this State."

Also, Senate bill introduced by Mr. Gilchrist (No. 1150, Rec. No. 233), entitled "An act authorizing the board of estimate and apportionment of the city of New York to inquire into the alleged claim of George R. DuBois, a janitor in the Justices' Court of the former city of Brooklyn, first district, for services rendered as such, from March first, eighteen hundred and ninety-seven, to December thirty-first, eighteen hundred and ninety-seven, both dates inclusive, and for services rendered as janitor of the Municipal Court of the city of New York, borough of Brooklyn, first district, from January first, eighteen hundred and ninety-eight, to August twelfth, nineteen hundred and three, both dates inclusive, and authorizing payment of the same."

Also, Senate bill introduced by Mr. Burr (No. 1427, Rec. No. 428), entitled "An act to amend the County Law, in relation to giving boards of supervisors authority to fix the compensation of town boards."

Also, Senate bill introduced by Mr. Cassidy (No. 752, Rec. No. 350), entitled "An act to amend chapter one hundred and forty-seven of the Laws of nineteen hundred and three, entitled 'An act making provision for issuing bonds to the amount of not to exceed one hundred and one million dollars, for the improvement of the Erie canal, the Oswego canal, and the Champlain canal, and providing for a submission of the same to the people, to be voted upon at the general election to be held in the year nineteen hundred and three,' in relation to the lease or sale of water," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading, immediately after the consideration of the special orders on third reading heretofore reported.

Mr. West, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Highway Law, in relation to assessment of poll tax." (No. 2780, Int. No. 1904.)

"An act to amend the Insurance Law in relation to the payment of dividends or refunds by any domestic corporation, association or society doing business subject to article six of the Insurance Law." (No. 2853, Int. No. 1950.)

"An act to amend chapter one hundred and fifteen of the Laws of eighteen hundred and ninety-eight, entitled 'An act to provide for the improvement of the public highways,' in relation to the payment of the cost of construction." (No. 2831, Int. No. 1936.)

"An act to confirm certain grants or patents of land under the navigable waters of the State." (No. 2799, Int. No. 1914.)

"An act to amend chapter four hundred and sixty-nine of the Laws of nineteen hundred and six, entitled 'An act to provide for issuing of bonds of the State for the improvement of highways, and making an appropriation herefor,' generally." (No. 2832, Int. No. 1937.)

"An act to provide for the removal of dead and floating timber from and cleaning out Fish creek in the towns of Depeyster and Macomb in the county of Saint Lawrence, and making an appropriation therefor." (No. 1420, Int. No. 1174.)

"An act to amend chapter six hundred and eighty-three of the Laws of eighteen hundred and ninety-two, entitled 'An act in relation to executive officers, constituting chapter nine of the general laws,' in relation to the salary of the Deputy State Engineer." (No. 2809, Int. No. 1919.)

"An act to legalize, ratify and confirm a special election held in the town of Monroe, county of Orange, and the proposition adopted at such election for the purchase of a stone crushing plant, consisting of steam roller, stone crusher, elevator and bin, in such town and pledging the credit of said town for the payment of the same." (No. 2837, Int. No. 1939.)

"An act empowering the sinking fund commission of the city of New York to vacate and cancel certain assessments for public improvements upon the real property of the church of Saint Nicholas Tolentine of the borough of the Bronx." (No. 2416, Int. No. 1722.)

Mr. Moreland moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Allen	Donnelly	Gunderman	Mead	Schulz
Apgar	Dowling	Hackett	Merritt	Schwegler
Averill	Draper	Haines	Miller	Sheridan
Baldwin	Dudley	Hamilton	Mills	Shuttleworth
Blue	Duell	Hammond	Mooney	Smith A E
Brady	Eggleston	Hamn	Moreland	Staley
Brooks	Eichhorn	Harawitz	Morgan	Stanton
Brough	Fay	Harris	Murphy C F	Stern
Brown	Ferguson	Hart	Murphy G W	Stevenson
Buckley	Feth	Holmes	Nevins	Stratton
Burhyte	Filley	Hubbs	Newton	Volk
Burns	Flanagan	Hurd	Northrup	Wainwright
Burzynski	Foley C F	Jackson	Norton	Walters
Chamberlain	Foley J A	Keller	O'Brian	Waters
Cole	Fowler	Lansing	Oliver	Weber
Collins	Francis	Lee	Parker	Weimert
Colne	Frisbie	Lewis	Patton	Wells
Conklin	Ganly	Lowe	Phillips	West
Conrad	Garbe	Lupton	Prentice	Whitley
Croak	Geoghagan	Maher	Ralston	Whitney F G
Cunningham	Glore	Mallon	Reece	Whitney G H
Cu'illier	Gluck	Mance	Robinson	Winters
De Groot	Glynn	Marlatt	Rogers	Wood
Dobbs	Goldberg	Matthews	Schoeneck	Yale
Dominy	Green	McCue		

Mr. Moreland moved that the call of the House be made a close call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the bill (No. 2866) entitled "An act creating a board of public works in the city of New Rochelle, prescribing its powers and duties, conferring upon such board the duties of the commissioners of sewers, abolishing the office of city engineer and increasing the duties of superintendent of streets." (Int. No. 1958.)

On motion of Mr. Duell, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hammond	Merritt	Sinclair
Averill	Draper	Hamn	Miller	Smith A E
Baldwin	Dudley	Harawitz	Mills	Smith C
Blue	Duell	Harper	Mooney	Smith Myron
Bohan	Eagleton	Harris	Morgan	Staley
Boshart	Eggleston	Hart	Murphy C F	Stern
Brady	Eichhorn	Hastings	Murphy G W	Stevenson
Brooks	Ferguson	Hoey	Nevins	Stratton
Brough	Feth	Holmes	Newton	Surpless
Brown	Filley	Hooper	Northrup	Todd
Buckley	Flanagan	Hubbs	Norton	Volk
Burhyte	Foley C F	Hurd	O'Brian	Voss
Burns	Foley J A	Jackson	Oliver	Waddell
Burzynski	Fowler	Keller	Parker	Wagner
Cavanaugh	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prince	Weber
Colné	Garbe	Loos	Ralston	Weimert
Conklin	Geoghagan	Lowe	Reece	Wells
Conrady	Glore	Lupton	Robinson	West
Croak	Gluck	Maher	Rogers	Whitley
Cunningham	Glynn	Mallon	Schmidt	Whitney F G
Cuvillier	Goldberg	Mance	Schoeneck	Whitney G H
De Groot	Green	Marlatt	Schulz	Wood
Dobbs	Gunderman	Matthews	Sheridan	Yale
Dominy	Hackett	McCue	Shuttleworth	Young
Donnelly	Hamilton	Mead		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2871) entitled "An act to legalize the official acts of William McCormick, as justice of the peace of the town of Potsdam, county of Saint Lawrence." (Int. No. 1963.)

On motion of Mr. Merritt, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamn	Merritt	Sinclair
Averill	Dudley	Harawitz	Miller	Smith A E
Baldwin	Duell	Harper	Mills	Smith C
Blue	Eagleton	Harris	Mooney	Smith Myron
Bohan	Eggleston	Hart	Morgan	Staley
Boshart	Eichhorn	Hastings	Murphy C F	Stern
Brady	Ferguson	Hoey	Murphy G W	Stevenson
Brooks	Feth	Holmes	Nevins	Stratton
Brough	Filley	Hooper	Newton	Surpless
Brown	Flanagan	Hubbs	Northrup	Todd
Buckley	Foley C F	Hurd	Norton	Volk
Burns	Foley J A	Jackson	O'Brian	Voss
Burzynski	Fowler	Keller	Oliver	Waddell
Cavanaugh	Francis	Lansing	Parker	Wagner
Chamberlain	Frisbie	Lee	Patton	Walters
Cole	Ganly	Lewis	Phillips	Waters
Colne	Garbe	Loos	Prince	Weber
Conklin	Geoghagan	Lowe	Ralston	Weimert
Conrady	Glore	Lupton	Reece	Wells
Croak	Gluck	Maher	Robinson	West
Cunningham	Glynn	Mallon	Rogers	Whitley
Cuvillier	Goldberg	Mance	Schmidt	Whitney F G
De Groot	Green	Marlatt	Schoeneck	Whitney G H
Dobbs	Gunderman	Matthews	Schulz	Wood
Dominy	Hackett	McCue	Sheridan	Yale
Donnelly	Hamilton	Mead	Shuttleworth	Young
Dowling	Hammond			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2869) entitled "An act to provide for the appointment of a commission to investigate the Torrens system of registering land titles, and to report on the expediency of the adoption of such system by the State of New York." (Int. No. 1961.)

On motion of Mr. Prentice, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hammond	Merritt	Sinclair
Averill	Draper	Hamn	Miller	Smith A E
Baldwin	Dudley	Harawitz	Mills	Smith C
Blue	Duell	Harper	Mooney	Smith Myron
Bohan	Eagleton	Harris	Morgan	Staley
Boshart	Eggleston	Hart	Murphy C F	Stern
Brady	Eichhorn	Hastings	Murphy G W	Stevenson
Brooks	Ferguson	Hoey	Nevins	Stratton
Brough	Feth	Holmes	Newton	Surpless
Brown	Filley	Hooper	Northrup	Todd
Buckley	Flanagan	Hubbs	Norton	Volk
Burhyte	Foley C F	Hurd	O'Brian	Voss
Burns	Foley J A	Jackson	Oliver	Waddell
Burzynski	Fowler	Keller	Parker	Wagner
Cavanaugh	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Philips	Waters
Cole	Ganly	Lewis	Prince	Weber
Colné	Garbe	Loos	Ralston	Weimert
Conklin	Geoghagan	Lowe	Reece	Wells
Conrady	Glore	Lupton	Robinson	West
Croak	Gluck	Maher	Rogers	Whitley
Cunningham	Glynn	Mallor	Schmidt	Whitney F G
Cuvillier	Goldberg	Mance	Schoeneck	Whitney G H
De Groot	Green	Marlatt	Schulz	Wood
Dobbs	Gunderman	Matthews	Sheridan	Yale
Dominy	Hackett	McCue	Shuttleworth	Young
Donnelly	Hamilton	Mead		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 310, Senate reprint No. 1383) entitled "An act to provide for a connecting railroad in the borough of Manhattan between the Brooklyn bridge, and the Williamsburgh bridge, in the city of New York" (Int. No. 309). Said bill having been announced, Mr. Speaker stated the question to be upon concurrence in the amendments of the Senate thereto. Debate was had thereon.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 71

NOES 53

Those who voted in the affirmative were:

Allen	Dudley	Haines	Matthews	Shuttleworth
Averill	Eggleston	Hamilton	Mead	Sinclair
Baldwin	Eichhorn	Hammond	Miller	Staley
Baumann	Fay	Hamn	Mills	Stanton
Brooks	Ferguson	Hooper	Moonney	Surpluss
Brough	Feth	Hubbs	Moreland	Volk
Brown	Filley	Hurd	Morgan	Voss
Chamberlain	Foley C F	Lansing	Murphy C F	Weber
Colné	Frisbie	Lee	Murphy G W	West
Conrady	Garbe	Lewis	Newton	Whitley
De Groot	Geoghagan	Lowe	Norton	Whitney F G
Dominy	Glore	Lupton	Parker	Whitney G H
Donnelly	Green	Maher	Ralston	Wood
Dowling	Gunderman	Marlatt	Schoeneck	Yale
Draper				

Those who voted in the negative were:

Blue	Cuvillier	Harper	Patton	Smith A E
Buckley	Dobbs	Harris	Phillips	Stern
Burhyte	Duell	Hart	Prentice	Stevenson
Burns	Eagleton	Hoey	Reece	Wainwright
Burzynski	Foley J A	Holmes	Robinson	Walters
Cavanaugh	Fowler	Jackson	Rogers	Waters
Cole	Francis	Keller	Schmidt	Weimert
Collins	Ganly	Loos	Stern	Wells
Conklin	Glynn	Mallon	Schwegler	Winters
Croak	Hackett	McCue	Sheridan	Young
Cunningham	Harawitz	Nevins		

Mr. Dowling moved to reconsider the vote by which said motion was lost, and that said motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was decided in the affirmative.

Mr. Speaker announced the special order, being the bill (No. 2760, Senate reprint No. 1807) entitled "An act to amend the Tax Law, in relation to ascertaining value of special franchises and equalization thereof, powers of State Board of Tax Commissioners, review of assessments and collection of taxes." (Int. No. 1592.)

Said bill having been announced, Mr. Speaker stated the question to be upon concurrence in the amendments of the Senate thereto.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was deter-

mined the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hammond	Merritt	Sinclair
Averill	Draper	Hamn	Miller	Smith A E
Baldwin	Dudley	Harawitz	Mills	Smith C
Blue	Duell	Harper	Mooney	Smith Myron
Bohan	Eagleton	Harris	Morgan	Staley
Boshart	Eggleston	Hart	Murphy C F	Stern
Brady	Eichhorn	Hastings	Murphy G W	Stevenson
Brooks	Ferguson	Hoey	Nevins	Stratton
Brough	Feth	Holmes	Newton	Surpless
Brown	Filley	Hooper	Northrup	Todd
Buckley	Flanagan	Hubbs	Norton	Volk
Burhyte	Foley C F	Hurd	O'Brian	Voss
Burns	Foley J A	Jackson	Oliver	Waddell
Burzynski	Fowler	Keller	Parker	Walters
Cavanaugh	Francis	Lansing	Patton	Waters
Chamberlain	Frishie	Lee	Phillips	Weber
Cole	Ganly	Lewis	Prince	Weimert
Colné	Garbe	Loos	Ralston	Wells
Conklin	Geoghagan	Lowe	Reece	West
Conrad	Glore	Lupton	Robinson	Whitley
Croak	Gluck	Maher	Rogers	Whitney F G
Cunningham	Glynn	Mallon	Schmidt	Whitney G H
Cuvillier	Goldberg	Mance	Schoeneck	Winters
De Groot	Green	Marlatt	Schulz	Wood
Dobbs	Gunderman	Matthews	Sheridan	Yale
Dominy	Hackett	McCue	Shuttleworth	Young
Donnelly	Hamilton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

Mr. Speaker announced the special order, being the bill (No. 2877) entitled "An act to amend chapter five hundred and ninety-six of the Laws of eighteen hundred and ninety-eight, entitled 'An act to amend chapter one hundred and sixty-three of the Laws of eighteen hundred and seventy-three, entitled "An act to organize and establish a police department for the city of Yonkers," generally." (Int. No. 1061.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hammond	Merritt	Sinclair
Averill	Draper	Hamn	Miller	Smith A E
Baldwin	Dudley	Harawitz	Mills	Smith C
Blue	Duell	Harper	Mooney	Smith Myron
Bohan	Eagleton	Harris	Morgan	Staley
Boshart	Eggleston	Hart	Murphy C F	Stern
Brady	Eichhorn	Hastings	Murphy G W	Stevenson
Brooks	Ferguson	Hoey	Nevins	Stratton
Brough	Feth	Holmes	Newton	Surpluss
Brown	Filley	Hooper	Northrup	Todd
Buckley	Flanagan	Hubbs	Norton	Volk
Burhyte	Foley C F	Hurd	O'Brian	Voss
Burns	Foley J A	Jackson	Oliver	Waddell
Burzynski	Fowler	Keller	Parker	Wagner
Cavanaugh	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prince	Weber
Colné	Garbe	Loos	Ralston	Weimert
Conklin	Geoghagan	Lowe	Reece	Wells
Conrady	Glore	Lupton	Robinson	West
Croak	Gluck	Maher	Rogers	Whitley
Cunningham	Glynn	Mallon	Schmidt	Whitney F G
Cuvillier	Goldberg	Mance	Schoeneck	Whitney G H
De Groot	Green	Marlatt	Schulz	Wood
Dobbs	Gunderman	Matthews	Sheridan	Yale
Dominy	Hackett	McCue	Shuttleworth	Young
Donnely	Hamilton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the bill (No. 2878) entitled "An act to amend chapter six hundred and thirty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Yonkers,' generally." (Int. No. 1483.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hammond	Merritt	Sinclair
Averill	Draper	Hamn	Miller	Smith A E
Baldwin	Dudley	Harawitz	Mills	Smith C
Blue	Duell	Harper	Mooney	Smith Myron
Bohan	Eagleton	Harris	Morgan	Staley
Boshart	Eggleston	Hart	Murphy C F	Stern
Brady	Eichhorn	Hastings	Murphy G W	Stevenson
Brooks	Ferguson	Hoey	Nevins	Stratton
Brough	Feth	Holmes	Newton	Surpluss
Brown	Filley	Hooper	Northrup	Todd
Buckley	Flanagan	Hubbs	Norton	Volk
Burhyte	Foley C F	Hurd	O'Brian	Voss
Burns	Foley J A	Jackson	Oliver	Waddell
Burzynski	Fowler	Keller	Parker	Wagner
Cavanaugh	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prince	Weber
Colné	Garbe	Loos	Ralston	Weimert
Conklin	Geoghagan	Lowe	Reece	Wells
Conrad	Glore	Lupton	Robinson	West
Croak	Gluck	Maher	Rogers	Whitley
Cunningham	Glynn	Mallon	Schmidt	Whitney F G
Cuvillier	Goldberg	Mance	Schoeneck	Whitney G H
De Groot	Green	Marlatt	Schulz	Wood
Dob's	Gunderman	Matthews	Sheridan	Yale
Dominy	Hackett	McCue	Shuttleworth	Young
Donnelly	Hamilton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the bill (No. 2872) entitled "An act to amend the Public Health Law, in relation to the retailing of poisons." (Int. No. 346.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hammond	Merritt	Sinclair
Averill	Draper	Hamn	Miller	Smith A E
Baldwin	Dudley	Harawitz	Mills	Smith C
Blue	Duell	Harper	Mooney	Smith Myron
Bohan	Eagleton	Harris	Morgan	Staley
Boshart	Eggleston	Hart	Murphy C F	Stern
Brady	Eichhorn	Hastings	Murphy G W	Stevenson
Brooks	Ferguson	Hoey	Nevins	Stratton
Brough	Feth	Holmes	Newton	Surpless
Brown	Filley	Hooper	Northrup	Todd
Buckley	Flannagan	Hubbs	Norton	Volk
Burhyte	Foley C F	Hurd	O'Brial	Voos
Burns	Foley J A	Jackson	Oliver	Waddell
Burzynski	Fowler	Keller	Parker	Wagner
Cavanaugh	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prince	Weber
Colné	Garbe	Loos	Ralston	Weimert
Ccnklin	Geoghagan	Lowe	Reece	Wells
Conrady	Glore	Lupton	Robinson	West
Croak	Gluck	Maher	Rogers	Whitley
Cunningham	Glynn	Mallon	Schmidt	Whitney F G
Cuvillier	Goldberg	Mance	Schoeneck	Whitney G H
De Groot	Green	Marlatt	Schulz	Wood
Dobbs	Gunderman	Matthews	Sheridan	Yale
Dominy	Hackett	McCue	Shuttleworth	Young
Donnelly	Hamilton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the bill (No. 2876) entitled "An act authorizing the Marcellus and Otisco Lake Railway Company, and Newark and Marion Railway Company, to use locomotive steam power as a motive power." (Int. No. 1818.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G.W	Stratton
Brough	Feth	Hoey	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrad	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the bill (No. 2875) entitled "An act to amend chapter two hundred and seventy-five of the Laws of eighteen hundred and ninety-nine, entitled 'An act to revise the charter of the city of Gloversville,' giving the common council authority to make an annual appropriation to the Nathan Littauer Hospital Association." (Int. No. 1351.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hammond	Mead	Shuttleworth
Averill	Draper	Hamn	Merritt	Sinclair
Baldwin	Dudley	Harawitz	Miller	Smith A E
Blue	Duell	Harper	Mills	Smith C
Bohan	Eagleton	Harris	Mooney	Smith Myron
Boshart	Eggleston	Hart	Morgan	Staley
Brady	Eichhorn	Hastings	Murphy C F	Stern
Brooks	Ferguson	Hoey	Murphy G W	Stevenson
Brough	Feth	Holmes	Nevins	Stratton
Brown	Filley	Hooper	Newton	Surpless
Buckley	Flanagan	Hubbs	Northrup	Todd
Burhyte	Foley C F	Hurd	Norton	Volk
Burns	Foley J A	Jackson	O'Brien	Waddell
Burzynski	Fowler	Keller	Oliver	Wagner
Cavanaugh	Francis	Lansing	Parker	Walters
Chamberlain	Frisbie	Lee	Patton	Waters
Cole	Ganly	Lewis	Phillips	Weber
Colné	Garbe	Loos	Prince	Weimert
Conklin	Geoghagan	Lowe	Ralston	Wells
Conrady	Glore	Lupton	Reece	West
Croak	Gluck	Maher	Robinson	Whitley
Cunningham	Glynn	Mallon	Rogers	Whitney F G
Cuvillier	Goldberg	Mance	Schmidt	Whitney G H
De Groot	Green	Marlatt	Schoeneck	Wood
Dobbs	Gunderman	Matthews	Schulz	Yale
Dominy	Hackett	McCue	Sheridan	Young
Donnelly	Hamilton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1427) entitled "An act to amend the County Law, in relation to giving boards of supervisors authority to fix the compensation of town boards" (Rec. No. 428). Said bill having been announced for a second reading,

On motion of Mr. Surpless, and by unanimous consent, said bill was made a special order on second and third reading for Thursday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the Senate bill (No. 752) entitled "An act to amend chapter one hundred and forty-seven of the Laws of nineteen hundred and three, entitled 'An act making provision for issuing bonds to the amount of not to exceed one hundred and one million dollars, for the improvement of the Erie canal, the Oswego canal, and the Champlain

canal, and providing for a submission of the same to the people, to be voted upon at the general election to be held in the year nineteen hundred and three,' in relation to the lease or sale of water." (Rec. No. 350.)

On motion of Mr. Merritt, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpluss
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	Oliver	Waddell
Burzynski	Fowler	Jackson	Parker	Wagner
Cavanaugh	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prince	Weber
Colné	Garbe	Lewis	Ralston	Weimert
Conklin	Geoghagan	Loos	Reece	Wells
Conrady	Glore	Lowe	Robinson	West
Croak	Gluck	Lupton	Rogers	Whitley
Cunningham	Glynn	Maher	Schmidt	Whitney F G
Cuvillier	Goldberg	Mallon	Schoeneck	Whitney G H
De Groot	Green	Mance	Schulz	Wood
Dobbs	Gunderman	Marlatt	Sheridan	Yale
Dominy	Hackett	Matthews	Shuttleworth	Young
Donnelly				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1364) entitled "An act to repeal chapter nine hundred

twenty-seven of the Laws of eighteen hundred ninety-five, relative to the naturalization of aliens in the courts of this State." (Rec. No. 378.)

Debate was had thereon.

On motion of Mr. Patton, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 81

NOES 37

Those who voted in the affirmative were:

Allen	De Groot	Hamn	Murphy C F	Smith Myron
Averill	Dominy	Harris	Murphy G W	Staley
Baldwin	Dowling	Hart	Nevins	Surpless
Boshart	Dudley	Hubbs	Newton	Volk
Brooks	Duell	Lansing	Norton	Voss
Brough	Eggleston	Lee	O'Brian	Wagner
Brown	Ferguson	Lewis	Parker	Waters
Burhyte	Filley	Lowe	Patton	Weber
Burns	Foley C F	Lupton	Phillips	Weimert
Burzynski	Fowler	Maher	Prentice	Wells
Chamberlain	Francis	Mance	Ralston	Whitley
Cole	Frisbie	Marlatt	Reece	Whitney F G
Colné	Green	Merritt	Robinson	Whitney G H
Conklin	Gunderman	Mills	Rogers	Wood
Conrady	Hamilton	Moreland	Shuttleworth	Yale
Crook	Hammond	Morgan	Sinclair	Young
Cunningham				

Those who voted in the negative were:

Baumann	Foley J A	Harawitz	Mallon	Sheridan
Buckley	Ganly	Harper	McCue	Smith A E
Cuvillier	Garbe	Hoey	Miller	Stanton
Dobbs	Glore	Holmes	Northrup	Stern
Donnelly	Glynn	Jackson	Oliver	Stratton
Draper	Glynn	Keller	Schulz	Wainwright
Fay	Goldberg	Loos	Schwegler	Walters
Flanagan	Hackett			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1710) entitled "An act to authorize the city of Cohoes to borrow money for the construction of a bridge over the first branch of the Mohawk river at Ontario street in said city." (Rec. No. 476.)

On motion of Mr. Maher, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hammond	Mead	Sinclair
Averill	Draper	Hamn	Merritt	Smith A E
Baldwin	Dudley	Harawitz	Miller	Smith C
Blue	Duell	Harper	Mills	Smith Myron
Bohan	Eagleton	Harris	Mooney	Staley
Boshart	Eggleston	Hart	Morgan	Stern
Brady	Eichhorn	Hastings	Murphy G W	Stevenson
Brooks	Ferguson	Hoey	Nevins	Stratton
Brough	Feth	Holmes	Newton	Surpless
Brown	Filley	Hooper	Northrup	Todd
Buckley	Flanagan	Hubbs	Norton	Volk
Burhyte	Foley C F	Hurd	O'Brian	Voss
Burns	Foley J A	Jackson	Oliver	Waddell
Burzynski	Fowler	Keller	Parker	Wagner
Cavanaugh	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prince	Weber
Colné	Garbe	Loos	Ralston	Weimert
Conklin	Geoghagan	Lowe	Reece	Wells
Conrady	Glore	Lupton	Robinson	West
Croak	Gluck	Maher	Rogers	Whitley
Cunningham	Glynn	Mallon	Schmidt	Whitney F G
Cuvillier	Goldberg	Mance	Schoeneck	Whitney G H
De Groot	Green	Marlatt	Schulz	Wood
Dobbs	Gunderman	Matthews	Sheridan	Yale
Dominy	Hackett	McCue	Shuttleworth	Young
Donnelly	Hamilton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1433) entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' in relation to interpreter in proceedings before the Police Court and justice." (Rec. No. 477.)

On motion of Mr. Weinert, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hammond	Merritt	Sinclair
Averill	Draper	Hamn	Miller	Smith A E
Baldwin	Dudley	Harawitz	Mills	Smith C
Blue	Duell	Harper	Mooney	Smith Myron
Bohan	Eagleton	Harris	Morgan	Staley
Boshart	Eggleston	Hart	Murphy C F	Stern
Brady	Eichhorn	Hastings	Murphy G W	Stevenson
Brooks	Ferguson	Hoey	Ne vins	Stratton
Brough	Feth	Holmes	Newton	Surpless
Brown	Fille y	Hooper	Northrup	Todd
Buckley	Fanagan	Hubbs	Norton	Volk
Burhyte	Foley C F	Hurd	O'Brian	Voss
Burns	Foley J A	Jackson	Oliver	Waddell
Burzynski	Fowler	Keller	Parker	Wagner
Cavanaugh	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prince	Weber
Colné	Garbe	Loos	Ralston	Weimert
Conklin	Geoghagan	Lowe	Reece	Wells
Conrady	Glore	Lupton	Robinson	West
Croak	Gluck	Maher	Rogers	Whitley
Cunningham	Glynn	Mallon	Schmidt	Whitney F G
Cuvillier	Goldberg	Mance	Schoeneck	Whitney G H
De Groot	Green	Marlatt	Schulz	Wood
Dobbs	Gunderman	Matthews	Sheridan	Yale
Dominy	Hackett	McCue	Shuttleworth	Young
Donnelly	Hamilton	Mead		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1695) entitled "An act to amend the Banking Law so as to require banks or individual bankers to keep a lawful money reserve." (Rec. No. 443.)

On motion of Mr. O'Brian, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130
NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hackett	Matthews	Shuttleworth
Averill	Dowling	Hamilton	McCue	Sinclair
Baldwin	Draper	Hammond	Merritt	Smith A E
Blue	Dudley	Hamn	Miller	Smith C
Bohan	Duell	Harawitz	Mills	Smith Myron
Boshart	Eagleton	Harper	Mooney	Staley
Brady	Eggleston	Harris	Morgan	Stern
Brooks	Eichhorn	Hart	Murphy C F	Stevenson
Brough	Ferguson	Hastings	Murphy G W	Stratton
Brown	Feth	Hoey	Nevis	Surpless
Buckley	Filley	Holmes	Newton	Todd
Burbyte	Flanagan	Hooper	Northrup	Volk
Burns	Foley C F	Hubbs	Norton	Voss
Burzynski	Foley J A	Hurd	Oliver	Waddell
Cavanaugh	Fowler	Jackson	Parker	Wagner
Chamberlain	Francis	Keller	Patton	Walters
Cole	Frisbie	Lansing	Phillips	Waters
Colné	Ganly	Lee	Prince	Weber
Conklin	Garbe	Lewis	Ralston	Weimert
Conrady	Geoghagan	Loos	Reece	Wells
Croak	Glore	Lowe	Robinson	Whitley
Cunningham	Gluck	Lupton	Rogers	Whitney F G
Cuvillier	Glynn	Maher	Schmidt	Whitney G H
De Groot	Goldberg	Mallon	Schoeneck	Wood
Dobbs	Green	Mance	Schulz	Yale
Dominy	Gunderman	Marlatt	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1670) entitled "An act for the relief of William Bumgarten,

a volunteer fireman, for injuries received while a member of Woodside Hook and Ladder Company Number Three, a volunteer fire company of the city of New York." (Rec. No. 440.)

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hammond	Merritt	Sinclair
Averill	Draper	Hamn	Miller	Smith A E
Baldwin	Dudley	Harawitz	Mills	Smith C
Blue	Duell	Harper	Mooney	Smith Myron
Bohan	Eagleton	Harris	Morgan	Staley
Boshart	Eggleston	Hart	Murphy C F	Stern
Brady	Eichhorn	Hastings	Murphy G W	Stevenson
Brooks	Ferguson	Hoey	Nevins	Stratton
Brough	Feth	Holmes	Newton	Surpless
Brown	Filley	Hooper	Northrup	Todd
Buckley	Flanagan	Hubbs	Norton	Volk
Burhyte	Foley C F	Hurd	O'Brian	Voss
Burns	Foley J A	Jackson	Oliver	Waddell
Buczynski	Fowler	Keller	Parker	Wagner
Cavanaugh	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prince	Weber
Colné	Garbe	Loos	Ralston	Weimert
Conklin	Geoghagan	Lowe	Reece	Wells
Conrady	Glore	Lupton	Robinson	West
CrOak	Gluck	Maher	Rogers	Whitley
Cunningham	Glynn	Mallon	Schmidt	Whitney F G
Cuvillier	Goldberg	Mance	Schoeneck	Whitney G H
De Groot	Green	Marlatt	Schulz	Wood
Dobbs	Gunderman	Matthews	Sheridan	Yale
Dominy	Hackett	McCue	Shuttleworth	Young
Donnelly	Hamilton	Mead		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 785) entitled "An act to amend the Penal Code, in relation to larceny." (Rec. No. 141.)

On motion of Mr. Rogers, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 2

Those who voted in the affirmative were:

Allen	Donnelly	Hackett	McCue	Sinclair
Averill	Dowling	Hamilton	Merritt	Smith A E
Baldwin	Draper	Hammond	Miller	Smith C
Blue	Dudley	Hamn	Mills	Smith Myron
Bohan	Duell	Harper	Mooney	Staley
Boshart	Eagleton	Harris	Morgan	Stern
Brady	Eggleston	Hart	Murphy C F	Stevenson
Brooks	Eichhorn	Hastings	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Surpless
Brown	Feth	Holmes	Newton	Todd
Buckley	Filley	Hooper	Northrup	Volk
Burhyte	Flanagan	Hubbs	Norton	Voss
Burns	Foley C F	Hurd	O'Brian	Waddell
Burzynski	Foley J A	Jackson	Parker	Wagner
Cavanaugh	Fowler	Keller	Patton	Walters
Chamberlain	Francis	Lansing	Phillips	Waters
Cole	Frisbie	Lee	Prince	Weber
Colné	Ganly	Lewis	Ralston	Weimert
Conklin	Garbe	Loos	Reece	Wells
Conrady	Geoghagan	Lowe	Robinson	West
Croak	Glore	Lupton	Rogers	Whitley
Cunningham	Gluck	Maher	Schmidt	Whitney F G
Cuvillier	Glynn	Mallon	Schoeneck	Whitney G H
De Groot	Goldberg	Mance	Schulz	Wood
Dobbs	Green	Marlatt	Sheridan	Yale
Dominy	Gunderman	Matthews	Shuttleworth	Young

Those who voted in the negative were:

Harawitz Oliver

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1622) entitled "An act to amend the Greater New York charter, by the amendment of section one hundred and fifty-one,

to provide for the establishment of a bureau of investigation of assessed valuations of real estate owned by the city of New York, located outside of said city." (Rec. No. 400.)

On motion of Mr. Farrell, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hammond	Merritt	Sinclair
Averill	Draper	Hamn	Miller	Smith A E
Baldwin	Dudley	Harawitz	Mills	Smith C
Blue	Duell	Harper	Mooney	Smith Myron
Bohan	Eagleton	Harris	Morgan	Staley
Boshart	Eggleston	Hart	Murphy C F	Stern
Brady	Eichhorn	Hastings	Murphy G W	Stevenson
Brooks	Ferguson	Hoey	Nevins	Stratton
Brough	Feth	Holmes	Newton	Surpless
Brown	Filley	Hooper	Northrup	Todd
Buckley	Flanagan	Hubbs	Norton	Volk
Burhyte	Foley C F	Hurd	O'Brian	Voss
Burns	Foley J A	Jackson	Oliver	Waddell
Burzynski	Fowler	Keller	Parker	Wagner
Cavanaugh	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prince	Weber
Colné	Garbe	Loos	Ralston	Weimert
Conklin	Geoghagan	Lowe	Reece	Wells
Conrady	Glore	Lupton	Robinson	West
Croak	Gluck	Maher	Rogers	Whitley
Cunningham	Glynn	Mallon]	Schmidt	Whitney F G
Cuvillier	Goldberg	Mance	Schoeneck	Whitney G H
De Groot	Green	Marlatt	Schulz	Wood
Dobbs	Gunderman	Matthews	Sheridan	Yale
Dominy	Hackett	McCue	Shuttleworth	Young
Donnelly	Hamilton	Mead		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 972) entitled "An act to amend the Penal Code, in relation to Sunday baseball in the city of New York." (Rec. No. 405.)

Debate was had thereon, when Mr. Moreland moved the previous question. Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 76

NOES 51

Those who voted in the affirmative were:

Baumann	Donnelly	Geoghagan	Loos	Schulz
Blue	Draper	Glore	Maher	Schwegler
Boshart	Duell	Gluck	Mallon	Sheridan
Brooks	Eagleton	Glynn	Mance	Sinclair
Brough	Eichhorn	Goldberg	McCue	Smith A E
Buckley	Farrell	Hackett	Merritt	Stern
Burns	Fay	Haines	Mooney	Stratton
Burzynski	Feth	Harawitz	Murphy G W	Voss
Cavanaugh	Filley	Hart	Northrup	Wagner
Chamberlain	Flanagan	Hoey	Oliver	Walters
Collins	Foley C F	Huth	Parker	Waters
Canrady	Foley J A	Jackson	Ralston	Wells
Croak	Fowler	Keller	Reece	Winters
Cunningham	Ganly	Lee	Schmidt	Young
Cuvillier	Garbe	Lewis	Schoeneck	Speaker
Dobbs				

Those who voted in the negative were:

Allen	Green	Lupton	Norton	Surpluss
Averill	Gunderman	Marlatt	O'Brian	Volk
Brown	Hammond	Matthews	Patton	Wainwright
Burhyte	Hamm	Miller	Phillips	Weber
Cole	Harper	Mills	Prentice	Weimert
Colne	Harris	Moreland	Robinson	West
De Groot	Holmes	Morgan	Rogers	Whitley
Dominy	Hubbs	Murphy C F	Shuttleworth	Whitney F G
Dudley	Hurd	Nevins	Stanton	Whitney G H
Ferguson	Lansing	Newton	Stevenson	Wood
Francis				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1800) entitled "An act to amend the Public Officers' Law, relative to the powers and duties of public officers." (Rec. No. 483.)

On motion of Mr. O'Brian, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hammond	Merritt	Sinclair
Averill	Draper	Hamn	Miller	Smith A E
Baldwin	Dudley	Harawitz	Mills	Smith C
Blue	Duell	Harper	Mooney	Smith Myron
Bohan	Eagleton	Harris	Morgan	Staley
Boshart	Eggleston	Hart	Murphy C F	Stern
Brady	Eichhorn	Hastings	Murphy G W	Stevenson
Brooks	Ferguson	Hoey	Nevins	Stratton
Brough	Feth	Holmes	Newton	Surpless
Brown	Filley	Hooper	Northrup	Todd
Buckley	Flanagan	Hubbs	Norton	Volk
Burhyte	Foley C F	Hurd	O'Brian	Voss
Burns	Foley J A	Jackson	Oliver	Waddell
Burzynski	Fowler	Keller	Parker	Wagner
Cavanaugh	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prince	Weber
Colne	Garbe	Loos	Ralston	Weimert
Conklin	Geoghagan	Lowe	Reece	Wells
Conrady	Glore	Lupton	Robinson	West
Croak	Gluck	Maher	Rogers	Whitley
Cunningham	Glynn	Mallon	Schmidt	Whitney F G
Cuvillier	Goldberg	Mance	Schoeneck	Whitney G H
De Groot	Green	Marlatt	Schulz	Wood
Dobbs	Gunderman	Matthews	Sheridan	Yale
Dominy	Hackett	McCue	Shuttleworth	Young
Donnelly	Hamilton	Mead		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1150) entitled "An act authorizing the board of estimate

and apportionment of the city of New York to inquire into the alleged claim of George R. Dubois, a janitor in the Justices' Court of the former city of Brooklyn, first district, for services rendered as such, from March first, eighteen hundred and ninety-seven, to December thirty-first, eighteen hundred and ninety-seven, both dates inclusive, and for services rendered as janitor of the Municipal Court of the city of New York, borough of Brooklyn, first district, from January first, eighteen hundred and ninety-eight, to August twelfth, nineteen hundred and three, both dates inclusive, and authorizing payment of the same." (Rec. No. 233.)

On motion of Mr. Hackett, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hammond	Merritt	Sinclair
Averill	Draper	Hamn	Miller	Smith A E
Baldwin	Dudley	Harawitz	Mills	Smith C
Blue	Duell	Harper	Mooney	Smith Myron
Bohan	Eagleton	Harris	Morgan	Staley
Boshart	Eggleston	Hart	Murphy C F	Stern
Brady	Eichhorn	Hastings	Murphy G W	Stevenson
Brooks	Ferguson	Hoey	Nevins	Stratton
Brough	Feth	Holmes	Newton	Surpless
Brown	Filley	Hooper	Northrup	Todd
Buckley	Flanagan	Hubbs	Norton	Volk
Burhyte	Foley C F	Hurd	O'Brian	Voss
Burns	Foley J A	Jackson	Oliver	Waddell
Burzynski	Fowler	Keller	Parker	Wagner
Cavanaugh	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prince	Weber
Colne	Garbe	Loos	Ralston	Weimert
Conklin	Geoghagan	Lowe	Reece	Wells
Conrady	Glore	Lupton	Robinson	West
Croak	Gluck	Maher	Rogers	Whitley
Cunningham	Glynn	Mallon	Schmidt	Whitney F G
Cuvillier	Goldberg	Marlatt	Schoeneck	Whitney G H

De Groot	Green	Mance	Schulz	Wood
Dobbs	Gunderman	Matthews	Sheridan	Yale
Dominy	Hackett	McCue	Shuttleworth	Young
Donnelly	Hamilton	Mead		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

By unanimous consent, Mr. Merritt offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on rules be discharged from the further consideration of the bill (No. 2879, Int. No. 1964) entitled "An act to amend the Legislative Law, generally."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced,

On motion of Mr. Merritt, and by unanimous consent, said bill was read the second time and ordered to a third reading.

A message from the Governor was received and read, in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, In accordance with the provisions of section 15 of article 3 of the constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Assembly bill (Int. No. 1964, printed No. 2879) entitled "An act to amend the Legislative Law, generally."

Given under my hand and the privy seal of the State, at the Capitol, in the city of Albany, this fifth day of June in the year of our Lord, one thousand nine hundred and seven."

(Signed) CHARLES E. HUGHES.

By the Governor.

ROBERT H. FULLER,

Secretary to the Governor.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, the necessity for the immediate passage of the same having been certified by the Governor, and it

was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hammond	Merritt	Sinclair
Averill	Draper	Hamn	Miller	Smith A E
Baldwin	Dudley	Harawitz	Mills	Smith C
Blue	Duell	Harper	Mooney	Smith Myron
Bohan	Eagleton	Harris	Morgan	Staley
Boshart	Eggleston	Hart	Murphy C F	Stern
Brady	Eichhorn	Hastings	Murphy G W	Stevenson
Brooks	Ferguson	Hoey	Nevins	Stratton
Brough	Feth	Holmes	Newton	Surpless
Brown	Filley	Hooper	Northrup	Todd
Buckley	Flanagan	Hubbs	Norton	Volk
Burhyte	Foley C F	Hurd	O'Brian	Voss
Burns	Foley J A	Jackson	Oliver	Waddell
Burzynski	Fowler	Keller	Parker	Wagner
Cavanaugh	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prince	Weber
Colné	Garbe	Loos	Ralston	Weimert
Conklin	Geoghagan	Lowe	Reece	Wells
Conrady	Gluck	Lupton	Robinson	West
Croak	Glore	Maher	Rogers	Whitley
Cunningham	Glynn	Mallon	Schmidt	Whitney F G
Cuvillier	Goldberg	Mance	Schoeneck	Whitney G H
De Groot	Green	Marlatt	Schulz	Wood
Dobbs	Gunderman	Matthews	Sheridan	Yale
Dominy	Hackett	McCue	Shuttleworth	Young
Donnelly	Hamilton			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

By unanimous consent, Mr. Yale offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on rules be discharged from the further consideration of the bill (No. 2886, Int. No. 1968) entitled "An act to legalize the proceedings of the board of trustees and of the qualified electors of the village of Brewster, Putnam county, New York, relative to the submission and adoption of propositions to establish a system of water works and to borrow fifty thousand dollars upon the bonds of the said village for the purpose of purchasing, constructing and maintaining a system of water works for supplying the village of Brewster and its inhabitants with water."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced,

On motion of Mr. Yale, and by unanimous consent, said bill was read the second time and ordered to a third reading.

A message from the Governor was received and read, in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, In accordance with the provisions of section 15 of article 3 of the constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Assembly bill (Int. No. 1968) entitled "An act to legalize the proceedings of the board of trustees and the qualified electors of the village of Brewster, Putnam county, New York, relative to the submission and adoption of propositions to establish a system of water works and to borrow fifty thousand dollars upon the bonds of the said village for the purpose of purchasing, constructing and maintaining a system of water works for supplying the village of Brewster and its inhabitants with water."

Given under my hand and the privy seal of the State, at the Capitol, in the city of Albany, this fifth day of June in the year of our Lord, one thousand nine hundred and seven."

(Signed) CHARLES E. HUGHES.

By the Governor.

ROBERT H. FULLER,

Secretary to the Governor.

On motion of Mr. Yale, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, the necessity for the immediate passage of the same having been certified by the Governor, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hammond	Merritt	Sinclair
Averill	Draper	Hamn	Miller	Smith A E
Baldwin	Dudley	Harawitz	Mills	Smith C
Blue	Duell	Harper	Mooney	Smith Myron
Bohan	Eagleton	Harris	Morgan	Staley
Boshart	Eggleston	Hart	Murphy C F	Stern
Brady	Eichhorn	Hastings	Murphy G W	Stevenson
Brooks	Ferguson	Hoey	Nevins	Stratton
Brough	Feth	Holmes	Newton	Surpless
Brown	Filley	Hooper	Northrup	Todd
Buckley	Flanagan	Hubbs	Norton	Volk
Burhyte	Foley C F	Hurd	O'Brian	Voss
Burns	Foley J A	Jackson	Oliver	Waddell
Burzynski	Fowler	Keller	Parker	Wagner
Cavanaugh	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prince	Weber
Colne	Garbe	Loos	Ralston	Weimert
Conklin	Geoghagan	Lowe	Reece	Wells
Conrady	Glore	Lupton	Robinson	West
Croak	Gluck	Maher	Rogers	Whitley
Cunningham	Glynn	Mallon	Schmidt	Whitney F G
Cuvillier	Goldberg	Mance	Schoeneck	Whitney G H
De Groot	Green	Marlatt	Schulz	Wood
Dobbs	Gunderman	Matthews	Sheridan	Yale
Dominy	Hackett	McCue	Shuttleworth	Young
Donnelly	Hamilton	Mead		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Hart moved to reconsider the vote by which Senate bill (No. 936, Assembly reprint No. 2772, Rec. No. 162) entitled "An act to amend an act entitled 'An act to provide for the acquiring of a site and the erection and furnishing of a new court house in the city of Utica for the use of the county of Oneida, and to provide means to defray the expense thereof and to sell the present court house and site and the county clerk's office and site, situate in Utica,' as amended by chapter one hundred and thirty-two of the Laws of nineteen hundred and five," was lost.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 78

NOES 37

Those who voted in the affirmative were:

Averill	Eichhorn	Green	McCue	Reece
Baumann	Fay	Haines	Merritt	Robinson
Burzynski	Ferguson	Hamn	Miller	Schulz
Cavanaugh	F th	Harper	Mills	Sheridan
Colné	Filley	Harris	Moreland	Staley
Conklin	Flanagan	Hart	Morgan	Stern
Conrady	Foley J A	Holmes	Murphy C F	Surpless
Croak	Fowler	Hooper	Murphy G W	Volk
Cunningham	Francis	Jackson	Nevins	Waddell
Cuvillier	Frisbie	Keller	Newton	Wagner
Dobbs	Ganly	Lee	Norton	Wainwright
Dominy	Garbe	Lewis	O'Brian	Walters
Donnelly	Geoghagan	Lupton	Parker	Waters
Dowling	Glore	Maher	Patton	Weimert
Duell	Gluck	Mallon	Prentice	Wells
Eggleston	Goldberg	Mance		

Those who voted in the negative were:

Baldwin	Collins	Hurd	Phillips	Stanton
Blue	De Groot	Lansing	Ralston	Stevenson
Brough	Glynn	Lowe	Rogers	Stratton
Buckley	Gunderman	Marlatt	Schoeneck	West
Burhyte	Hackett	Matthews	Shuttleworth	Whitley
Burns	Hamilton	Northrup	Sinclair	Winters
Chamberlain	Hammond	Oliver	Smith Myron	Wood
Cole	Hubbs			

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 78

NOES 40

Those who voted in the affirmative were:

Allen	Eagleton	Green	Mills	Sheridan
Averill	Eichhorn	Haines	Moreland	Staley
Baumann	Fay	Hamn	Murphy C F	Stanton
Burzynski	Ferguson	Harper	Murphy G W	Stern
Collins	Feth	Hart	Nevins	Surpless
Conklin	Filley	Holmes	Newton	Volk
Conrady	Flanagan	Hooper	Norton	Waddell
Croak	Foley J A	Jackson	O'Brian	Wagner
Cunningham	Fowler	Lansing	Parker	Wainwright
Cuvillier	Frisbie	Lewis	Patton	Walters
Dobbs	Ganly	Lupton	Prentice	Waters
Dominy	Garbe	Maher	Reece	Weimert
Donnelly	Geoghagan	Mallon	Robinson	Wells
Dowling	Glore	Mance	Schulz	Whitney G B
Dudley	Gluck	McCue	Schwegler	Young
Duell	Goldberg	Merritt		

Those who voted in the negative were:

Baldwin	Colné	Hoey	Miller	Sinclair
Blue	De Groot	Hubbs	Northrup	Smith Myron
Brown	Francis	Hurd	Oliver	Stratton
Buckley	Glynn	Keller	Phillips	West
Burhyte	Gunderman	Lee	Ralston	Whitley
Burns	Hackett	Loos	Rogers	Whitney F G
Chamberlain	Hammond	Lowe	Schoeneck	Winters
Cole	Harris	Marlatt	Shuttleworth	Wood

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Moreland gives notice that he requests that Assembly bill (No. 2850, Int. No. 1947) entitled "An act making an appropriation for the payment for the fiscal year beginning on the first day of October, nineteen hundred and six, of interest on the canal debt contracted or to be contracted under article seven, section four of the Constitution, and as provided by chapter three hundred and two of the Laws of nineteen hundred and six," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Moreland gives notice that he requests that Assembly bill (No. 2846, Int. No. 1943) entitled "An act to provide ways and means for the annual contribution to the canal debt sinking funds," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Moreland gives notice that he requests that Assembly bill (No. 2847, Int. No. 1944) entitled "An act making an appropriation for the payment of interest on the debt for highway improvement contracted or to be contracted under article seven, section twelve of the Constitution, and as provided by law, for the fiscal year beginning on the twelfth day of October, nineteen hundred and seven," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Moreland gives notice that he requests that Assembly bill (No. 2848, Int. No. 1945) entitled "An act to provide ways and means for the annual contribution to the highway improvement fund," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Moreland gives notice that he requests that Assembly bill (No. 2849, Int. No. 1946) entitled "An act making an appropriation for the payment for the fiscal year beginning on the first day of October, nineteen hundred and seven, of interest on the canal debt contracted or to be contracted under article seven, section four of the Constitution," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Moreland (No. 2848, Int. No. 1945), entitled "An act to provide ways and means for the annual contribution to the highway improvement fund."

Also, Assembly bill introduced by Mr. Moreland (No. 2849, Int. No. 1946), entitled "An act making an appropriation for the payment for the fiscal year beginning on the first day of October, nineteen hundred and seven, of interest on the canal debt contracted or to be contracted under article seven, section four of the Constitution."

Also, Assembly bill introduced by Mr. Moreland (No. 2846, Int. No. 1943), entitled "An act to provide ways and means for the annual contribution to the canal debt sinking funds."

Also, Assembly bill introduced by Mr. Moreland (No. 2847, Int. No. 1944), entitled "An act making an appropriation for the payment of interest on the debt for highway improvement contracted or to be contracted under article seven, section twelve of the Constitution, and as provided by law, for the fiscal year beginning on the first day of October, nineteen hundred and seven."

Also, Assembly bill introduced by Mr. Moreland (No. 2850, Int. No. 1947), entitled "An act making an appropriation for the

payment for the fiscal year beginning on the first day of October, nineteen hundred and six, of interest on the canal debt contracted or to be contracted under article seven, section four of the Constitution, and as provided by chapter three hundred and two of the Laws of nineteen hundred and six," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported,

Which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker announced the special order, being the bill (No. (No. 2848) entitled "An act to provide ways and means for the annual contribution to the highway improvement fund." (Int. No. 1945.)

On motion of Mr. Moreland, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hammond	Merritt	Sinclair
Averill	Draper	Hamn	Miller	Smith A E
Baldwin	Dudley	Harawitz	Mills	Smith C
Blue	Duell	Harper	Mooney	Smith Myror
Bohan	Eagleton	Harris	Morgan	Staley
Boshart	Eggleston	Hart	Murphy C F	Stern
Brady	Eichhorn	Hastings	Murphy G W	Stevenson
Brooks	Ferguson	Hoey	Nevins	Stratton
Brough	Feth	Holmes	Newton	Surplless
Brown	Filley	Hooper	Northrup	Todd
Buckley	Flanagan	Hubbs	Norton	Volk
Burhyte	Foley C F	Hurd	O'Brian	Voss
Burns	Foley J A	Jackson	Oliver	Waddell

Burzynski	Fowler	Keller	Parker	Wagner
Cavanaugh	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prince	Weber
Colné	Garbe	Loos	Ralston	Weimert
Conklin	Geoghagan	Lowe	Reece	Wells
Conrady	Glore	Lupton	Robinson	West
Croak	Gluck	Maher	Rogers	Whitley
Cunningham	Glynn	Mallon	Schmidt	Whitney F G
Cuvillier	Goldberg	Mance	Schoeneck	Whitney G H
De Groot	Green	Marlatt	Schulz	Wood
Dobbs	Gunderman	Matthews	Sheridan	Yale
Dominy	Hackett	McCue	Shuttleworth	Young
Donnelly	Hamilton			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2849) entitled "An act making an appropriation for the payment for the fiscal year beginning on the first day of October, nineteen hundred and seven, of interest on the canal debt contracted or to be contracted under article seven, section four of the Constitution." (Int. No. 1946.)

On motion of Mr. Moreland, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hammond	Merritt	Sinclair
Averill	Draper	Hamn	Miller	Smith A E
Baldwin	Dudley	Harawitz	Mills	Smith C
Blue	Duell	Harper	Mooney	Smith Myron
Bohan	Eagleton	Harris	Morgan	Staley
Boshart	Eggleston	Hart	Murphy C F	Stern
Brady	Eichhorn	Hastings	Murphy G W	Stevenson
Brooks	Ferguson	Hoey	Nevins	Stratton
Brough	Feth	Holmes	Newton	Surpless
Brown	Filley	Hooper	Northrup	Todd
Buckley	F'anagan	Hubbs	Norton	Volk
Burhyte	Foley C F	Hurd	O'Brian	Voss
Burns	Foley J A	Jackson	Oliver	Waddell

Burzynski	Fowler	Keller	Parker	Wagner
Cavanaugh	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prince	Weber
Colné	Garbe	Loos	Ralston	Weimert
Conklin	Geoghagan	Lowe	Reece	Wells
Conrady	Glore	Lupton	Robinson	West
Croak	Gluck	Maher	Rogers	Whitley
Cunningham	Glynn	Mallon	Schmidt	Whitney F G
Cuvillier	Goldberg	Mance	Schoeneck	Whitney G H
De Groot	Green	Marlatt	Schulz	Wood
Dobbs	Gunderman	Matthews	Sheridan	Yale
Dominy	Hackett	McCue	Shuttleworth	Young
Donnelly	Hamilton			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2846) entitled "An act to provide ways and means for the annual contribution to the canal debt sinking funds." (Int. No. 1943.)

On motion of Mr. Moreland, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hammond	Merritt	Sinclair
Averill	Draper	Hamn	Miller	Smith A E
Baldwin	Dudley	Harawitz	Mills	Smith C
Blue	Duell	Harper	Mooney	Smith Myron
Bohan	Eagleton	Harris	Morgan	Staley
Boshart	Eggleston	Hart	Murphy C F	Stern
Brady	Eichhorn	Hastings	Murphy G W	Stevenson
Brooks	Ferguson	Hoey	Nevins	Stratton
Brough	Feth	Holmes	Newton	Surpless
Brown	Filley	Hooper	Northrup	Todd
Buckley	Flanagan	Hubbs	Norton	Volk
Burhyte	Foley C F	Hurd	O'Brian	Voss
Burns	Foley J A	Jackson	Oliver	Waddell
Burzynski	Fowler	Keller	Parker	Wagner
Cavanaugh	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prince	Weber

Colné	Garbe	Loos	Ralston	Weimert
Conklin	Geoghagan	Lowe	Reece	Wells
Conrady	Glore	Lupton	Robinson	West
Croak	Gluck	Maher	Rogers	Whitley
Cunningham	Glynn	Mallon	Schmidt	Whitney F G
Cuvillier	Goldberg	Mance	Schoeneck	Whitney G H
De Groot	Green	Marlatt	Schulz	Wood
Dobbs	Gunderman	Matthews	Sheridan	Yale
Dominy	Hackett	McCue	Shuttleworth	Young
Donnelly	Hamilton			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2847) entitled "An act making an appropriation for the payment of interest on the debt for highway improvement contracted or to be contracted under article seven, section twelve of the Constitution, and as provided by law, for the fiscal year beginning on the first day of October, nineteen hundred and seven." (Int. No. 1944.)

On motion of Mr. Moreland, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hammond	Merritt	Sinclair
Averill	Draper	Hamn	Miller	Smith A E
Baldwin	Dudley	Harawitz	Mills	Smith C
Blue	Duell	Harper	Mooney	Smith Myron
Bohan	Eagleton	Harris	Morgan	Staley
Boshart	Eggleston	Hart	Murphy C F	Stern
Brady	Eichhorn	Hastings	Murphy G W	Stevenson
Brooks	Ferguson	Hoey	Nevins	Stratton
Brough	Feth	Holmes	Newton	Surpluss
Brown	Filley	Hooper	Northrup	Todd
Buckley	Flanagan	Hubbs	Norton	Volk
Burhyte	Foley C F	Hurd	O'Brian	Voss
Burns	Foley J A	Jackson	Oliver	Waddell
Burzynski	Fowler	Keller	Parker	Wagner

Cavanaugh	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prince	Weber
Colné	Garbe	Loos	Ralston	Weimert
Conklin	Geoghagan	Lowe	Reece	Wells
Conrady	Glore	Lupton	Robinson	West
Croak	Gluck	Maher	Rogers	Whitley
Cunningham	Glynn	Mallon	Schmidt	Whitney F C
Cuvillier	Goldberg	Mance	Schoeneck	Whitney G H
De Groot	Green	Marlatt	Schultz	Wood
Dobbs	Gunderman	Matthews	Sheridan	Yale
Dominy	Hackett	McCue	Shuttleworth	Young
Donnelly	Hamilton	Mead		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, June 4, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 2352, Int. No. 221) entitled "An act to amend section twelve hundred and forty-two of the Code of Civil Procedure, relating to the sale of real property."

CHARLES E. HUGHES.

Mr. Speaker announced the special order, being the bill (No. 2850) entitled "An act making an appropriation for the payment for the fiscal year beginning on the first day of October, nineteen hundred and six, of interest on the canal debt contracted or to be contracted under article seven, section four of the Constitution, and as provided by chapter three hundred and two of the Laws of nineteen hundred and six." (Int. No. 1947.)

On motion of Mr. Moreland, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hammond	Merritt	Sinclair
Averill	Draper	Hamn	Miller	Smith A E
Baldwin	Dudley	Harawitz	Mills	Smith C
Blue	Duell	Harper	Mooney	Smith Myron
Bohan	Eagleton	Harris	Morgan	Staley
Boshart	Eggleston	Hart	Murphy C F	Stern
Brady	Eichhorn	Hastings	Murphy G W	Stevenson
Brooks	Ferguson	Hoey	Nevins	Stratton
Brough	Feth	Holmes	Newton	Surpless
Brown	Filley	Hooper	Northrup	Todd
Buckley	Flanagan	Hubbs	Norton	Volk
Burhyte	Foley C F	Hurd	O'Brian	Voss
Burns	Foley J A	Jackson	Oliver	Waddell
Burzynski	Fowler	Keller	Parker	Wagner
Cavanaugh	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prince	Weber
Colné	Garbe	Loos	Ralston	Weimert
Conklin	Geoghagan	Lowe	Reece	Wells
Conrad	Glore	Lupton	Robinson	West
Croak	Gluck	Maher	Rogers	Whitley
Cunningham	Glynn	Mallon	Schmidt	Whitney F G
Cuvillier	Goldberg	Mance	Schoeneck	Whitney G H
De Groot	Green	Marlatt	Schulz	Wood
Dobbs	Gunderman	Matthews	Sheridan	Yale
Dominy	Hackett	McCue	Shuttleworth	Young
Donnelly	Hamilton			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Young offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1676, Int. No. 884) entitled "An act to amend the Lien Law, relative to publishing notice of sale of personal property to satisfy a lien," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Reece offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No 529, Int. No. 513) entitled "An act to enable the police commissioner of the city of New York to rehear and determine the charges

against Richard Dillon, a policeman of the second grade, for reinstatement in said department," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Schulz offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 2352, Int. No. 221) entitled "An act to amend section twelve hundred and forty-two of the Code of Civil Procedure, relating to the sale of real property," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Moreland offered for the consideration of the House a resolution, in the words following:

Resolved, That a respectful message be sent to the Senate requesting the return to the Assembly of Assembly bill (No. 2841, Int. No. 710) entitled "An act making appropriations for the support of government," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *June 4, 1907.*

Resolved (if the Assembly concur), That Senate bill (No. 559, Rec. No. 83) entitled "An act to amend the County Law relative to the duties and salaries of the assistant district attorneys of the county of Erie," be returned to the Governor.

By order of the Senate,

LAFAYETTE B. GLEASON,

Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the Senate bill (No. 1461, Assembly reprint No. 2839, Rec. No. 348) entitled "An act to amend chapter three hundred and thirty-eight of the Laws of eighteen hundred and ninety-four, entitled 'An act relating to canals, constituting chapter thirteen of the general laws,' in relation to the general powers and duties of the Superintendent of Public Works," with a message that they have concurred in the amendments of the Assembly made thereto.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the bill (No. 1228, Int. No. 624) entitled "An act to amend the Highway Law, relative to the amount to be paid by the State to towns which have adopted the money system."

Also, the bill (No. 2879, Int. No. 1964) entitled "An act to amend the Legislative Law, generally," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 2437, reprint No. 2855, Int. No. 1629) entitled "An act to amend the Town Law, in relation to assessors' clerks in certain towns of the county of Nassau," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 2118, reprint No. 2829, Int. No. 1412) entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' relative to the appointment of a deputy commissioner of public works and the submission of a proposition therefor," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Mount Vernon.

The Senate returned the bill (No. 1285, Int. No. 568) entitled "An act to amend the Greater New York charter, in relation to the powers of the borough presidents and of the president of the

board of aldermen," with a message that this bill was again duly passed, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, the President stating the question to be: "Shall this bill pass notwithstanding the objection of the mayor of the city of New York thereto?"

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 2513, Int. No. 1775) entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of Oswego,' relative to the powers of policemen of said city," with a message that this bill was again duly passed, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, the President stating the question to be: "Shall this bill pass notwithstanding the objection of the city of Oswego thereto?"

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 2126, Int. No. 1464) entitled "An act to amend chapter six hundred and forty-six of the Laws of nineteen hundred and five, entitled 'An act to provide for the construction and maintenance of a sanitary trunk sewer and a sanitary outlet sewer in the county of Westchester, and to provide means for the payment therefor,' generally," with a message that this bill was again duly passed, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, the President stating the question to be, "Shall this bill pass notwithstanding the objection of the mayor of the city of Mount Vernon thereto?"

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 1637, Senate reprint No. 1259, Assembly reprint No. 2856, Int. No. 1082) entitled "An act to amend the Primary Election Law, in relation to excepting first, second and certain third class cities from special enrollment, and changing date when enrollment books shall be delivered," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 2124, reprint No. 2838, Int. No. 1496) entitled "An act to amend chapter two hundred and

ninety-four of the Laws of eighteen hundred and sixty-nine, entitled 'An act to incorporate the fire department of the city of Binghamton,' relative to appointment of officers and salaries of treasurer and clerk," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Binghamton.

The Senate returned the bill (No. 2144, reprint No. 2857, Int. No. 1253) entitled "An act to amend chapter five hundred and ninety-three of the Laws of nineteen hundred and five, entitled 'An act to revise the charter of the city of Johnstown,' generally," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Johnstown.

The Senate returned the Senate bill (No. 1368, Assembly reprint No. 2833, Rec. No. 349) entitled "An act to amend chapter three hundred and thirty-four of the Laws of nineteen hundred and one, entitled 'An act in relation to tenement houses in cities of the first class,' as heretofore amended, in relation to measuring the height of tenement houses fronting on a part of Riverside drive, in the city of New York."

Also, Senate bill (No. 531, Assembly reprint No. 2376, Rec. No. 86) entitled "An act to amend the Greater New York charter, in relation to the amount of annual pension to retiring members of the fire department," with a message that they have concurred in the amendments of the Assembly made thereto.

Ordered, That the Clerk return said bills to the Senate.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 2352, Int. No. 221) entitled "An act to amend section twelve hundred and forty-two of the Code of Civil Procedure, relating to the sale of real property," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 529, Int. No. 513) entitled "An

act to enable the police commissioner of the city of New York to rehear and determine the charges against Richard Dillon, a policeman of the second grade, for reinstatement in said department," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1676, Int. No. 884) entitled "An act to amend the Lien Law, relative to publishing notice of sale of personal property to employees," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 678, Int. No. 635) entitled "An act to amend chapter three hundred and ninety-two of the Laws of eighteen hundred and ninety-six, entitled 'An act to regulate the commitment and discharge of certain prisoners, tramps and vagrants in Richmond county, and to prescribe the effect thereof, to provide for the support of the prisoners in the jail in the county of Richmond, and to fix the duties and compensation of the sheriff of said county and of certain employees in the jail of said county,' in relation to salary of jailor," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 1375, Senate reprint No. 901, Int. No. 593) entitled "An act to amend the Code of Civil Procedure, relative to the compensation of deputy sheriffs and constables attending courts in Richmond county," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 455, Senate reprint No. 1338, Int. No. 446) entitled "An act to better protect the lives of railroad employees," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 2302, Senate reprint No. 1489, Int. No. 1517) entitled "An act to amend chapter seven hundred and sixty of the Laws of eighteen hundred and ninety-seven, entitled 'An act to revise the charter of the city of Watertown,' in relation to the liability of the city," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate sent for concurrence the Senate bill (No. 964, Rec. No. 217) entitled "An act to amend the Greater New York charter, relative to the protection of the grounds and properties of educational institutions," with a message that this bill was duly passed by the Senate and Assembly and was transmitted to the mayor of the city of New York for a public hearing in said city, as provided by law, and was returned by said mayor with a message that said bill, after a public hearing thereon, has not been accepted by the mayor. Said bill was thereafter and on this day again duly passed, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, the President stating the question to be, "Shall this bill pass notwithstanding the objection of the mayor of the city of New York thereto?"

Mr. Speaker stated the question to be, "Shall this bill pass notwithstanding the objections of the mayor of the city of New York thereto?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

AYES 85

NOES 18

Those who voted in the affirmative were:

Allen	Flanagan	Harris	Morgan	Stevenson
Averill	Foley C F	Hart	Murphy C F	Surpless
Brooks	Foley J A	Hoey	Murphy G W	Volk
Burzynski	Fowler	Holmes	Nevins	Voss
Chamberlain	Francis	Hooper	Newton	Wagner
Cole	Ganly	Hurd	Parker	Wainwright
Collins	Garbe	Jackson	Patton	Waters
Conrady	Glore	Lee	Prentice	Weber
Croak	Glynn	Loos	Ralston	Wells

Cunningham	Goldberg	Lowe	Reece	West
Dobbs	Green	Lupton	Robinson	Whitley
Dominy	Gunderman	Maher	Schoeneck	Whitney F G
Dowling	Hackett	Mallon	Schulz	Whitney G H
Draper	Haines	Mance	Sheridan	Winters
Dudley	Hamilton	Marlatt	Shuttleworth	Wood
Eichhorn	Hammond	Matthews	Sinclair	Yale
Filley	Hamn	McCue	Smith A E	Young

Those who voted in the negative were:

Baumann	Colné	Donnelly	Harper	Rogers
Brough	Conklin	Duell	Lansing	Schwegler
Buckley	Cuvillier	Eagleton	Mills	Stanton
Burhyte	De Groot	Fay		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have again concurred in the passage of the same.

The Senate returned the Assembly bill (No. 1339, Senate re-print No. 1537, Int. No. 462) entitled "An act to amend the Domestic Relations Law, in relation to marriage by written agreement," with a message that they have concurred in the passage of the same, with the following amendments:

On page 2, line 6, after "valid" insert "a copy of." Same page and line, after "filed" insert "by the officer taking the acknowledgment thereof."

Mr. Goldberg moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hammond	Merritt	Sinclair
Averill	Draper	Hamn	Miller	Smith A E
Baldwin	Dudley	Harawitz	Mills	Smith C
Blue	Duell	Harper	Mooney	Smith Myron
Bohan	Eagleton	Harris	Morgan	Staley
Boshart	Eggleston	Hart	Murphy C F	Stern
Brady	Eichhorn	Hastings	Murphy G W	Stevenson
Brooks	Ferguson	Hoey	Nevins	Stratton
Brough	Feth	Holmes	Newton	Surpluss
Brown	Filley	Hooper	Northrup	Todd
Buckley	Flanagan	Hubbs	Norton	Volk

Burhyte	Foley C F	Hurd	O'Brian	Voss
Burns	Foley J A	Jackson	Oliver	Waddell
Burzynski	Fowler	Keller	Parker	Wagner
Cavanaugh	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prince	Weber
Colné	Garbe	Loos	Ralston	Weimert
Conklin	Geoghagan	Lowe	Reece	Wells
Conrady	Glore	Lupton	Robinson	West
Croak	Gluck	Maher	Rogers	Whitley
Cunningham	Glynn	Mallon	Schmidt	Whitney F G
Cuvillier	Goldberg	Mance	Schoeneck	Whitney G H
De Groot	Green	Marlatt	Schulz	Wood
Do bbs	Gunderman	Matthews	Sheridan	Yale
Dominy	Hackett	McCue	Shuttleworth	Young
Donnelly	Hamilton	Mead		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 1920, Int. No. 989) entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' in relation to drawing jurors," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

Mr. Speaker stated the question to be, "Shall this bill pass notwithstanding the objections of the mayor of the city of New York thereto?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

AYES 84

NOES 22

Those who voted in the affirmative were:

Allen	Eichhorn	Hart	Mead	Shuttleworth
Averill	Ferguson	Hoey	Mills	Sinclair
Blue	Filley	Holmes	Mooney	Smith A E
Boshart	Foley C F	Hooper	Morgan	Stevenson
Brooks	Foley J A	Hubbs	Murphy G W	Surpless
Brough	Francis	Hurd	Nevins	Volk
Brown	Ganly	Jackson	Newton	Voss
Chamberlain	Glore	Lansing	O'Brian	Wagner
Cole	Glynn	Lee	Parker	Waters
Colné	Goldberg	Lewis	Patton	Weber

Conrady	Green	Lowe	Phillips	Weimert
De Groot	Gunderman	Lupton	Prince	Whitley
Dobbs	Haines	Maher	Ralston	Whitney F G
Dominy	Hamilton	Mallon	Reece	Whitney G H
Dowling	Hamn	Mance	Robinson	Winters
Dudley	Harper	Marlatt	Rogers	Wood
Eggleston	Harris	Matthews	Schoeneck	

Those who voted in the negative were:

Baumann	Conklin	Fay	Hammond	Prentice
Buckley	Croak	Eagleton	Keller	Schwegler
Burhyte	Cuvillier	Garbe	Moreland	Stanton
Burns	Donnelly	Hackett	Northrup	Wells
Burzynski	Draper			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Pursuant to resolution, the Senate returned Assembly bill (No. 2841, Int. No. 710) entitled "An act making appropriations for the support of government."

Said bill having been announced, Mr. Moreland moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hammond	Merritt	Sinclair
Averill	Draper	Hamn	Miller	Smith A E
Baldwin	Dudley	Harawitz	Mills	Smith C
Blue	Duell	Harper	Mooney	Smith Myron
Bohan	Eagleton	Harris	Morgan	Staley
Boshart	Eggleston	Hart	Murphy C F	Stern
Brady	Eichhorn	Hastings	Murphy G W	Stevenson
Brooks	Ferguson	Hoev	Nevins	Stratton
Brough	Feth	Holmes	Newton	Surplless
Brown	Filley	Hooper	Northrup	Todd
Buckley	Flanagan	Hubbs	Norton	Volk
Burhyte	Foley C F	Hurd	O'Brian	Voss
Burns	Foley J A	Jackson	Oliver	Waddell
Burzynski	Fowler	Keller	Parker	Wagner
Cavanaugh	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prince	Weber
Colné	Garbe	Loos	Ralston	Weimert
Conklin	Geoghagan	Lowe	Reece	Wells
Conrady	Glore	Lupton	Robinson	West
Croak	Gluck	Maher	Rogers	Whitley
Cunningham	Glynn	Mallon	Schmidt	Whitney F G

Cuvillier	Goldberg	Mance	Schoeneck	Whitney G H
De Groot	Green	Marlatt	Schulz	Wood
Dobbs	Gunderman	Matthews	Sheridan	Yale
Dominy	Hackett	McCue	Shuttleworth	Young
Donnelly	Hamilton			

Mr. Moreland moved that said bill be recommitted to the committee on ways and means, with instructions to report the same forthwith amended by the substitution of the following substitute bill:

(See Appendix No. 46.)

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Moreland, from the committee on ways and means, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A message from the Governor was received and read, in words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, In accordance with the provisions of section 15 of article 3 of the Constitution and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Assembly bill (Int. No. 710, printed No. 2887) entitled "An act making appropriation for the support of government."

Given under my hand and the privy seal of the State, at the Capitol, in the city of Albany, this fifth day of June in the year of our Lord, one thousand nine hundred and seven."

(Signed) CHARLES E. HUGHES.

By the Governor.

ROBERT H. FULLER,
Secretary to the Governor.

Said substitute bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, the necessity for the immediate passage of the same having been certified by the Governor, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hammond	Merritt	Sinclair
Averill	Draper	Hamn	Miller	Smith A E
Baldwin	Dudley	Harawitz	Mills	Smith C
Blue	Duell	Harper	Mooney	Smith Myron
Bohan	Eagleton	Harris	Morgan	Staley
Boshart	Eggleston	Hart	Murphy C F	Stern
Brady	Eichhorn	Hastings	Murphy G W	Stevenson
Brooks	Ferguson	Hoey	Nevins	Stratton
Brough	Feth	Holmes	Newton	Surpluss
Brown	Filley	Hooper	Northrup	Todd
Buckley	Flanagan	Hubbs	Norton	Volk
Burhyte	Foley C F	Hurd	O'Brian	Voss
Burns	Foley J A	Jackson	Oliver	Waddell
Burzynski	Fowler	Keller	Parker	Wagner
Cavanaugh	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prince	Weber
Colne	Garbe	Loos	Ralston	Weimert
Conklin	Geoghagan	Lowe	Reece	Wells
Conrady	Glore	Lupton	Robinson	West
Croak	Gluck	Maher	Rogers	Whitley
Cunningham	Glynn	Mallon	Schmidt	Whitney F G
Cuvillier	Goldberg	Mance	Schoeneck	Whitney G H
De Groot	Green	Marlatt	Schulz	Wood
Dobbs	Gunderman	Matthews	Sheridan	Yale
Dominy	Hackett	McCue	Shuttleworth	Young
Donnelly	Hamilton			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

The Senate returned the Assembly bill (No. 2719, Senate reprint No. 1738, Int. No. 1082) entitled "An act to establish the public service commissions and prescribing their powers and duties, and to provide for the regulation and control of certain public service corporations and making an appropriation therefor," with a message that this bill was again duly passed, a majority of all the senators voting in favor thereof, and three-fifths being present, the President stating the question to be, "Shall this bill pass, notwithstanding the objection of the mayor of the city of New York thereto?"

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 2886, Int. No. 1968) entitled "An act to legalize the proceedings of the board of trustees and of the qualified electors of the village of Brewster, Putnam county, New York, relative to the submission and adoption of propositions to establish a system of water works and to borrow

fifty thousand dollars upon the bonds of the said village for the purpose of purchasing, constructing and maintaining a system of water works for supplying the village of Brewster and its inhabitants with water," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk engross and deliver said bill to the Governor.

A communication was received from Hon. John H. Coyne, mayor of the city of Yonkers, returning Assembly bill (No. 2433, Senate reprint No. 1605, Int. No. 1739) entitled "An act to amend chapter four hundred and seventy-nine of the Laws of nineteen hundred and three, entitled 'An act for the improvement and repair of streets and roads in Yonkers, that have existed as public streets for twenty years, and to issue bonds for the payment thereof,'" with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. W. H. Baker, mayor of the city of Lockport, returning Assembly bill (No. 2753, Int. No. 1376) entitled "An act to amend chapter one hundred and twenty of the Laws of eighteen hundred and eighty-six, entitled 'An act to revise the charter of the city of Lockport,' generally," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. R. W. Sherman, mayor of the city of Utica, returning Assembly bill (No. 2751, Int. No. 1734) entitled "An act to amend chapter one hundred and eighty-eight of the Laws of nineteen hundred and six, entitled 'An act to authorize the city of Utica to construct a general system of storm water drainage, and to borrow money to pay for the same,' relative to the rate of interest to be paid on bonds," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. R. W. Sherman, mayor of the city of Utica, returning Assembly bill (No. 2427, Int. No. 1733) entitled "An act to amend chapter one hundred and thirty-one of the Laws of nineteen hundred and seven, entitled 'An act to authorize the city of Utica to borrow money and issue bonds for the purpose of completing the changing of the channel of the Mohawk river between said city and the town of Deerfield, and to authorize the Superintendent of Public Works to accept said new channel,' relative to the rate of interest to be paid on bonds," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Wainwright gives notice that he will at some future time move to suspend rules Nos. 5, 6, 9, 10, 11, 12, 13, 18, 19, 20, 21, 22, 23, 49 and 54 for the purpose of discharging any and all committees of this House from the further consideration of Assembly bill (No. 840), a copy whereof is hereto attached, and for the purpose of advancing out of its order and passing the said bill.

Mr. Wainwright gives notice that he will at some future time move to suspend rules Nos. 5, 6, 9, 10, 11, 12, 13, 18, 19, 20, 21, 22, 23, 49 and 54 for the purpose of discharging any and all committees of this House from the further consideration of Assembly bill (No. 2293), a copy whereof is hereto attached, and for the advancing out of its order and passing the same.

On motion of Mr. Moreland, the House adjourned.

THURSDAY, JUNE 6, 1907.

The House met pursuant to adjournment.

Prayer by Rev. Charles W. Heisler.

On motion of Mr. Moreland, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. Hooper gives notice that he requests that Assembly bill (No. 2882, Int. No. 1966) entitled "An act to amend the Forest,

Fish and Game Law, in relation to the transportation of the carcasses and venison of domesticated deer," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the pupose of making the said bill a special order on second and third reading.

Mr. Blue gives notice that he requests that Assembly bill (No. 2867, Int. No. 1959) entitled "An act to amend an act entitled 'An act to provide for the acquiring of a site and the erection and furnishing of a new court house in the city of Utica for the use of the county of Oneida, and to provide means to defray the expense thereof, and to sell the present court house and site and the county clerk's office and site, situate in Utica,'" a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Schoeneck gives notice that he requests that Assembly bill (No. 2647, Int. No. 1847) entitled "An act to create the office of State Fire Marshal, defining his duties and fixing compensation," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Sheridan gives notice that he requests that Assembly bill (No. 2186, Int. No. 1623) entitled "An act to amend section six hundred and twelve of the Greater New York charter giving to the commissioners of parks of the city of New York jurisdiction over play-grounds," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Norton gives notice that he requests that Assembly bill (No. 1742, Int. No. 1371) entitled "An act for the construction of a bridge across South bay in Washington county and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. C. F. Foley gives notice that he requests that Assembly bill (No. 339, Int. No. 338) entitled "An act making an appropriation to provide additional means of drainage of lands in the town of Wheatfield, in the county of Niagara, by deepening and improving Sawyers creek and its tributaries," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Ferguson gives notice that he requests that Assembly bill (No. 1189, Int. No. 1030) entitled "An act to provide for the acquisition and preservation of the historic house, formerly owned and occupied by General Nicholas Herkimer, in the town of Danube, in the county of Herkimer, and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Fowler gives notice that he requests that Assembly bill (No. 827, Int. No. 762) entitled "An act to provide for the purchase of one certain lot of land situate in the city of Kingston, in the county of Ulster, lying on North Front street and adjoining the Senate House property, and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Colne gives notice that he requests that Assembly bill (No. 1933, Int. No. 1481) entitled "An act for the erection of a monument to the memory of John C. Fremont, in Rockland Cemetery, in the county of Rockland, and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Staley gives notice that he requests that Assembly bill (No. 480, Int. No. 467) entitled "An act providing for the construction of a steel bridge over the Bowmans creek on State lands

adjacent to the Erie Canal aqueduct number ten, in the town of Canajoharie, Montgomery county, and the necessary repairs to the existing abutments and approaches thereto, and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Blue gives notice that he requests that Assembly bill (No. 95, Int. No. 95) entitled "An act making an appropriation to the Central New York Institution for Deaf Mutes, at Rome, to enable it to extinguish its debt incurred for the support and education of its deaf and dumb pupils and for the paving of the street fronting its property," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Robinson gives notice that he requests that Assembly bill (No. 2880, Int. No. 723) entitled "An act to amend the Greater New York charter, relative to aldermanic districts, the division of the city into the same and the boundaries thereof, and to districts for home rule and local improvements," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Wood gives notice that he requests that Assembly bill (No. 1444, Int. No. 1199) entitled "An act to provide for the construction of a dam and reservoir on the Indian river in Lewis county, and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. O'Brian gives notice that he requests that the Senate bill (No. 1322, Rec. No. 419) entitled "An act to amend the Insurance Law, relating to permitting the incorporation of beneficiary societies, orders or associations of persons in the service of the same employer, for the purposes of furnishing relief to members in case of sickness, disability or death," a copy of which is hereto

annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Draper gives notice that he requests that the Senate bill (No. 1705, Rec. No. 475) entitled "An act to incorporate the Lower Bridge Company," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Wainwright gives notice that he requests that the Senate bill (No. 1706, Int. No. 468) entitled "An act to legalize the bonds of union free school district number ten, of the town of Greenburgh, Westchester county, New York, in the amount of fifteen thousand dollars, sold for the purpose of defraying the expense of building an addition to the school building in said district, and for furnishing and heating the same, and to provide for the payment of said bonds," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Wainwright gives notice that he requests that the Senate bill (No. 1592, Rec. No. 429) entitled "An act to amend the Consolidated School Law, relative to changing school districts," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Robinson gives notice that he requests that the Senate bill (No. 1801, Rec. No. 482) entitled "An act to amend the Consolidated School Law, relative to the compulsory education of children," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Haines gives notice that he requests that Senate bill (No. 1796, Rec. No. 474) entitled "An act to amend title two of chapter six hundred and thirty-five of the Laws of eighteen hundred

and ninety-five, entitled 'An act to revise the charter of the city of Yonkers,' by adding a new section, to be designated as section six-a of title two, relative to the office of city judge." a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Wainwright gives notice that he requests that Assembly bill (No. 840, Int. No. 775) entitled "An act to amend the Election Law in relation to the publicity of contributions to, and expenditures of campaign funds, and providing for judicial inquiries relative thereto," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Wainwright gives notice that he requests that Assembly bill (No. 2293, Int. No. 1665) entitled "An act to amend the Election Law in relation to the publicity to the contributions to, and expenditure of campaign funds," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

The Senate sent for concurrence the following entitled bills:

"An act authorizing and directing the State Water Supply Commission to devise plans for the progressive development of the water powers of the State, for the public use, under State ownership and control, and making an appropriation therefor" (No. 1723, Rec. No. 486), which was read the first time and referred to the committee on ways and means.

"An act to empower the board of assessors to estimate and allow damages sustained by owners of real property fronting upon streets and avenues abutting or approaching the bridge between Jackson avenue, in the former town of Newtown, and Broadway, in the former town of Flushing, in the borough of Queens, city of New York" (No. 1278, Rec. No. 487), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter four hundred and sixty-six of the Laws of nineteen hundred and one (the Greater New York

charter), by providing for the licensing of theatre ticket brokers and the regulation of the theatre brokerage business" (No. 291, Rec. No. 488), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Insurance Law, in relation to the power of the Superintendent of Insurance to authorize the use of additional forms of policies to be issued and delivered by domestic life insurance companies within this State" (No. 1805, Rec. No. 489), which was read the first time and referred to the committee on insurance.

"An act to empower the State Water Supply Commission to inquire into the expediency of the State owning or controlling the water powers within its borders" (No. 1279, Rec. No. 490), which was read the first time and referred to the committee on the judiciary.

"An act to regulate street peddling in the city of New York" (No. 1630, Rec. No. 491), which was read the first time and referred to the committee on affairs of cities.

"An act to amend sections sixty and sixty-one of chapter five hundred and sixty-six, Laws of eighteen hundred and ninety, known as 'the Transportation Corporations Law,' as amended" (No. 975, Rec. No. 492), which was read the first time and referred to the committee on the judiciary.

"An act authorizing the Commissioners of the Land Office to make a grant of land for a public street in the city of Buffalo on the west side of and adjoining Niagara street between Collaton street and the northerly line of said city, and abandoning such strip of land within the blue line of the Erie canal" (No. 181, Rec. No. 493), which was read the first time.

On motion of Mr. Weimert, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Weimert, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

AYES 132

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hamn	Miller	Sinclair
Averill	Dudley	Harper	Mills	Smith A E
Baldwin	Duell	Harris	Mooney	Smith C
Baumann	Eagleton	Hart	Moreland	Smith-Myron
Blue	Eggleston	Hastings	Morgan	Stern
Boshart	Eichhorn	Hoey	Murphy G W	Stevenson
Brady	Farrell	Holmes	Nevins	Stratton
Brooks	Ferguson	Hooper	Newton	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Foley C F	Huth	O'Brian	Voss
Burhyte	Foley J A	Jackson	Oliver	Waddell
Burns	Fowler	Jacobs	Parker	Wagner
Cavanaugh	Francis	Lansing	Patton	Wainwright
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Ralston	Weimert
Colné	Geoghagan	Lowe	Reece	Wells
Conklin	Glore	Lupton	Robinson	West
Conrady	Glynn	Maher	Rogers	Whitley
Croak	Goldberg	Mallon	Schmidt	Whitney F G
Cunningham	Green	Mance	Schoeneck	Whitney G H
Cuvillier	Gunderman.	Marlatt	Schulz	Winters
De Groot	Hackett	Matthews	Schwegler	Wood
Dominy	Haines	Mead	Sheridan	Yale
Donnelly	Hamilton	Merritt	Shuttleworth	Young
Dowling	Hammond			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to amend the Forest, Fish and Game Law, in relation to close season for lake trout and whitefish" (No. 1306, Rec. No. 494), which was read the first time and referred to the committee on fisheries and game.

"An act to amend section one hundred and nineteen of chapter four hundred and sixty-six of the Laws of nineteen hundred and one, amending chapter three hundred and seventy-eight of the Laws of eighteen hundred and ninety-seven, known as the Greater New York charter, defining the powers of the commissioners of accounts to conduct examinations and to compel the attendance of witnesses" (No. 1701, Rec. No. 495), which was read the first time and referred to the committee on affairs of cities.

“An act to amend the Election Law in regard to changes in the lines of election districts” (No. 1660, Rec. No. 496), which was read the first time and referred to the committee on the judiciary.

“An act to amend the Code of Civil Procedure, in relation to deposits of legacies to unknown persons” (No. 1793, Rec. No. 497), which was read the first time and referred to the committee on codes.

“An act to amend the Insurance Law, in relation to the payment of dividends or refunds by any domestic corporation, association or society doing business subject to article six of the Insurance Law” (No. 1803, Rec. No. 498), which was read the first time and referred to the committee on insurance.

“An act to amend chapter three hundred and thirty-four of the Laws of nineteen hundred and one, entitled ‘An act in relation to tenement houses in cities of the first class,’ relative to bakeries” (No. 795, Rec. No. 499), which was read the first time and referred to the committee on affairs of cities.

“An act to organize the Senate districts and for the apportionment of the members of Assembly of this State” (No. 1832, Rec. No. 500), which was read the first time and referred to the committee on the judiciary.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Blue (No. 2867, Int. No. 1959), entitled “An act to amend an act entitled ‘An act to provide for the acquiring of a site and the erection and furnishing of a new court house in the city of Utica for the use of the county of Oneida, and to provide means to defray the expense thereof, and to sell the present court house and site and the county clerk’s office and site, situate in Utica.’”

Also, Assembly bill introduced by Mr. Hooper (No. 2882, Int. No. 1966), entitled “An act to amend the Forest, Fish and Game Law, in relation to the transportation of the carcasses and venison of domesticated deer.”

Also, Assembly bill introduced by Mr. Sheridan (No. 2186, Int. No. 1623), entitled “An act to amend section six hundred and twelve of the Greater New York charter giving to the commissioners of parks of the city of New York jurisdiction over play-grounds.”

Also, Assembly bill introduced by Mr. Schoeneck (No. 2647, Int. No. 1847), entitled "An act to create the office of State fire marshal, defining his duties and fixing compensation."

Also, Assembly bill introduced by Mr. C. F. Foley (No. 339, Int. No. 338), entitled "An act making an appropriation to provide additional means of drainage of lands in the town of Wheatfield, in the county of Niagara, by deepening and improving Sawyers creek and its tributaries."

Also, Assembly bill introduced by Mr. Norton (No. 1742, Int. No. 1317), entitled "An act for the construction of a bridge across South bay in Washington county and making an appropriation therefor."

Also, Assembly bill introduced by Mr. Ferguson (No. 1189, Int. No. 1030), entitled "An act to provide for the acquisition and preservation of the historic house, formerly owned and occupied by General Nicholas Herkimer, in the town of Danube in the county of Herkimer, and making an appropriation therefor."

Also, Assembly bill introduced by Mr. Fowler (No. 827, Int. No. 762), entitled "An act to provide for the purchase of one certain lot of land situate in the city of Kingston, in the county of Ulster, lying on North Front street and adjoining the Senate House property, and making an appropriation therefor."

Also, Assembly bill introduced by Mr. Staley (No. 480, Int. No. 467), entitled "An act providing for the construction of a steel bridge over the Bowmans' creek on State lands adjacent to the Erie canal aqueduct number ten, in the town of Canajoharie, Montgomery county, and the necessary repairs to the existing abutments and approaches thereto, and making appropriation therefor."

Also, Assembly bill introduced by Mr. Colné (No. 1933, Int. No. 1481), entitled "An act for the erection of a monument to the memory of John C. Fremont, in Rockland Cemetery, in the county of Rockland and making an appropriation therefor," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders

on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Blue (No. 95, Int. No. 95), entitled "An act making an appropriation to the Central New York Institution for Deaf Mutes, at Rome, to enable it to extinguish its debt incurred for the support and education of its deaf and dumb pupils and for the paving of the street fronting its property."

Also, Assembly bill introduced by Mr. Robinson (No. 2880, Int. No. 723), entitled "An act to amend the Greater New York charter, relative to aldermanic districts, the division of the city into the same and the boundaries thereof, and to districts for home rule and local improvements."

Also, Assembly bill introduced by Mr. Wood (No. 1444, Int. No. 1199), entitled "An act to provide for the construction of a dam and reservoir on the Indian river in Lewis county, and making an appropriation therefor," reported in favor of the passage of the same without amendment, and that the same be made a special order on third reading immediately, which report was agreed to, and said bills ordered made special orders on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Franchot (No. 1705, Rec. No. 475), entitled "An act to incorporate the Lower Bridge Company."

Also, Senate bill introduced by Mr. Hill (No. 1322, Rec. No. 419), entitled "An act to amend the Insurance Law, relating to permitting the incorporation of beneficiary societies, orders or associations to persons in the service of the same employer, for the purpose of furnishing relief to members in case of sickness, disability or death."

Also, Senate bill introduced by Mr. Carpenter (No. 1592, Rec. No. 429), entitled "An act to amend the Consolidated School Law, relative to changing school districts."

Also, Senate bill introduced by Mr. Carpenter (No. 1706, Rec.

No. 468), entitled "An act to legalize the bonds of union free school district number ten, of the town of Greenburgh, Westchester county, New York, in the amount of fifteen thousand dollars, sold for the purpose of defraying the expense of building an addition to the school building in said district, and for furnishing and heating the same, and to provide for the payment of said bonds."

Also, Senate bill introduced by Mr. Agnew (No. 1801, Rec. No. 482), entitled "An act to amend the Consolidated School Law, relative to compulsory education of children."

Also, Senate bill introduced by committee on affairs of cities (No. 1796, Rec. No. 474), entitled "An act to amend title two of chapter six hundred and thirty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Yonkers,' by adding a new section, to be designated as section six-a of title two, relative to the office of city judge," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Wainwright (No. 840, Int. No. 775) entitled "An act to amend the Election Law in relation to the publicity of contributions to, and expenditures of campaign funds, and providing for judicial inquiries relative thereto," reported in favor of the passage of the same, with the following amendments:

Page 3, line 7, strike out "forty-eight hours" and insert in place thereof "five days".

Page 3, line 15, strike out the bracket before the word "ten".

Page 3, line 15, insert a bracket before the word "less".

Page 3, line 15, after the word "be" insert "not in excess of".

Page 3, line 16, strike out the word "two" and insert in place thereof the word "five".

Page 4, line 8, strike out the word "two" and insert in place thereof the word "five".

Page 4, strike out all of lines 20, 21, 22, 23, 24 and 25.

Page 4, line 2, strike out the word "thirty" and insert in place thereof the word "twenty".

Page 5, strike out lines 1 to 5 inclusive.

Page 5, strike out the number and word on line 6 "8 Chapter" and insert in place thereof the words "6 section two, hundred and twelve of chapter".

Page 6, line 3, strike out the number and word "9 Chapter" and insert in place thereof "7 section two hundred and (thirteen of chapter".

Page 6, strike out all of lines 5 to 11, both inclusive, and insert in place thereof: "Section 213. Such petition shall be [filed] presented within [thirty] fifty days after any election in respect to which the allegations of such petition may relate if the statement mentioned therein was filed within the [fifteen] twenty days as herein required [,] ; but if the statement [has] shall not have been filed within said [fifteen] twenty days, such petition may be filed presented [within fifteen days] at any time not more than sixty days after the filing of the statement. The said petition and order to show cause shall be filed, and any order or judgment made in the proceeding based thereon shall be entered in the office of the clerk of the county in which such election was held, if held wholly within a county, or otherwise in such other office as the court, or a justice thereof, shall direct.

Page 6, line 11, insert after line 11 the following:

"§ 8. Section two hundred and fourteen of chapter five hundred and two of the laws of nineteen hundred and six is hereby amended to read as follows:

"§ 214. Upon the return of the order to show cause provided for in section two hundred and twelve, [T] the court, or justice, [must forthwith hold a summary inquest, to] shall immediately, and in such manner as the court or justice shall direct, and without respect to any technical requirement, inquire into the facts and circumstances and into such violations of, or failure to comply with, the provisions of this article, as may be alleged in any such petition, or into such other facts and circumstances relative to any such election [and] or to any contribution or expenditure made in connection therewith, which at any time, whether before or during the continuance of such inquest, the court or justice holding such inquest shall deem necessary to secure compliance with the provisions of this article or to punish for a violation thereof. Such other persons as the court,

or justice, shall deem necessary or proper to join or bring in as parties to the said proceeding in order to make its order, judgment or writs effective, may be joined as parties in such manner and upon such notice as said court or justice shall direct."

and that the same be printed, as amended, and when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported.

Which report was agreed to, and said bill ordered reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Wainwright (No. 2293, Int. No. 1668), entitled, "An act to amend the Election Law in relation to the publicity of contributions to, and expenditures of campaign funds," reported in favor of the passage of the same with the following amendments:

Page 1, line 5, strike out the bracket before the word "ten".

Page 1, line 5, insert a bracket before the word "less".

Page 1, line 5, after the word "be" insert "not in excess of five".

Page 1, line 6, strike out the word "two".

Page 2, line 8, strike out "thirty" and insert in place thereof "twenty".

Page 2, line 14, strike out "two" and insert in place thereof "five".

and that the same be reprinted, as amended, and when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported.

Which report was agreed to, and said bill ordered reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be

made a special order on second and third reading, immediately after the consideration of the special orders on third reading theretofore reported.

Mr. West, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to legalize the official acts of William McCormick, as justice of the peace of the town of Potsdam, county of Saint Lawrence." (No. 2871, Int. No. 1963.)

"An act to provide ways and means for the annual contribution to the highway improvement fund." (No. 2848, Int. No. 1945.)

"An act making an appropriation for the payment for the fiscal year beginning on the first day of October, nineteen hundred and seven, of interest on the canal debt contracted or to be contracted under article seven, section four of the Constitution." (No. 2849, Int. No. 1946.)

"An act making an appropriation for the payment of interest on the debt for highway improvement contracted or to be contracted under article seven, section twelve of the Constitution, and as provided by law, for the fiscal year beginning on the first day of October, nineteen hundred and seven." (No. 2847, Int. No. 1944.)

"An act to provide ways and means for the annual contribution to the canal debt sinking funds." (No. 2846, Int. No. 1943.)

"An act making an appropriation for the payment for the fiscal year beginning on the first day of October, nineteen hundred and six, of interest on the canal debt contracted or to be contracted under article seven, section four of the Constitution, and as provided by chapter three hundred and two of the Laws of nineteen hundred and six." (No. 2850, Int. No. 1947.)

"An act to amend an act entitled 'An act to provide for the acquiring of a site and the erection and furnishing of a new court house in the city of Utica, for the use of the county of Oneida, and to provide means to defray the expense thereof and to sell the present court house and site and the county clerk's office and site, situate in Utica,' as amended by chapter one hundred and thirty-two of the Laws of nineteen hundred and five." (No. 2772, Rec. No. 162.)

"An act creating a board of public works in the city of New Rochelle, prescribing its powers and duties, conferring upon such board the duties of the commissioners of sewers, abolishing the office of city engineer and increasing the duties of superintendent of streets." (No. 2866, Int. No. 1958.)

"An act to provide for the appointment of a commission to investigate the Torrens system of registering land titles, and to report on the expediency of the adoption of such system by the state of New York." (No. 2869, Int. No. 1961.)

Mr. Speaker announced the special order, being the bill (No. 95) entitled "An act making an appropriation to the central New York Institution for Deaf Mutes, at Rome, to enable it to extinguish its debt incurred for the support and education of its deaf and dumb pupils and for the paving of the street fronting its property." (Int. No. 95.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hamn	Miller	Sinclair
Averill	Dudley	Harper	Mills	Smith A E
Baldwin	Duell	Harris	Mooney	Smith C
Baumann	Eagleton	Hart	Moreland	Smith Myron
Blue	Eggleston	Hastings	Morgan	Stern
Boshart	Eichhorn	Hoey	Murphy G W	Stevenson
Brady	Farrell	Holmes	Nevis	Stratton
Brooks	Ferguson	Hooper	Newton	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Foley C F	Huth	O'Brian	Voss
Burhyte	Foley J A	Jackson	Oliver	Waddell
Burns	Fowler	Jacobs	Parker	Wagner
Cavanaugh	Francis	Lansing	Patton	Wainwright
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Ralston	Weimert
Colné	Geoghagan	Lowe	Reece	Wells
Conklin	Glore	Lupton	Robinson	West
Conrady	Glynn	Maher	Rogers	Whitley

Croak	Goldberg	Mallon	Schmidt	Whitney F G
Cunningham	Green	Mance	Schoeneck	Whitney G H
Cuvillier	Gunderman	Marlatt	Schulz	Winters
De Groot	Hackett	Matthews	Schwegler	Wood
Dominy	Haines	Mead	Sheridan	Yale
Donnelly	Hamilton	Merritt	Shuttleworth	Young
Dowling	Hammond			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1444) entitled "An act to provide for the construction of a dam and reservoir on the Indian river in Lewis county, and making an appropriation therefor." (Int. No. 1199.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hamn	Miller	Sinclair
Averill	Dudley	Harper	Mills	Smith A E
Baldwin	Duell	Harris	Mooney	Smith C
Baumann	Eagleton	Hart	Moreland	Smith Myron
Blue	Eggleston	Hastings	Morgan	Stern
Boshart	Eichhorn	Hoey	Murphy G W	Stevenson
Brady	Farrell	Holmes	Nevins	Stratton
Brooks	Ferguson	Hooper	Newton	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Foley C F	Huth	O'Brian	Voss
Burhyte	Foley J A	Jackson	Oliver	Waddell
Burns	Fowler	Jacobs	Parker	Wagner
Cavanaugh	Francis	Lansing	Patton	Wainwright
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Ralston	Weimert
Colne	Geoghagan	Lowe	Reece	Wells
Conklin	Glore	Lupton	Robinson	West
Conrad	Glynn	Maher	Rogers	Whitley
Croak	Goldberg	Mallon	Schmidt	Whitney F G
Cunningham	Green	Mance	Schoeneck	Whitney G H
Cuvillier	Gunderman	Marlatt	Schulz	Winters
De Groot	Hackett	Matthews	Schwegler	Wood
Dominy	Haines	Mead	Sheridan	Yale
Donnelly	Hamilton	Merritt	Shuttleworth	Young
Dowling	Hammond			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2867) entitled "An act to amend an act entitled 'An act to provide for the acquiring of a site and the erection and furnishing of a new court house in the city of Utica, for the use of the county of Oneida, and to provide means to defray the expense thereof, and to sell the present court house and site and the county clerk's office and site, situate in Utica.'" (Int. No. 1959.)

On motion of Mr. Blue, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hamn	Miller	Sinclair
Averill	Dudley	Harper	Mills	Smith A E
Baldwin	Duell	Harris	Mooney	Smith C
Baumann	Eagleton	Hart	Moreland	Smith Myr n
Blue	Eggleston	Hastings	Morgan	Stern
Boshart	Eichhorn	Hoey	Murphy G W	Stevenson
Brady	Farrell	Holmes	Nevins	Stratton
Brooks	Ferguson	Hooper	Newton	Surplless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Foley C F	Huth	O'Brian	Voss
Burhyte	Foley J A	Jackson	Oliver	Waddell
Burns	Fowler	Jacobs	Parker	Wagner
Cavanaugh	Francis	Lansing	Patton	Wainwright
Chamberlain	Frisbie	Lee	Phillips	Walters
Cole	Garby	Lewis	Prentice	Weber
Collins	Garbe	Loos	Ralston	Weimert
Colné	Geoghagan	Lowe	Reece	Wells
Conklin	Glore	Lupton	Robinson	West
Conrad	Glynn	Maher	Rogers	Whitley
Croak	Goldberg	Mallon	Schmidt	Whitney F G
Cunningham	Green	Mance	Schoeneck	Whitney G H
Cuvillier	Gunderman	Marlatt	Schulz	Winters
De Groot	Hackett	Matthews	Schwegler	Wood
Dominy	Haines	Mead	Sheridan	Yale
Donnelly	Hamilton	Merritt	Shuttleworth	Young
Dowling	Hammond			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2186) entitled "An act to amend section six hundred and twelve of the Greater New York charter, giving to the commissioners of parks of the city of New York jurisdiction over playgrounds." (Int. No. 1623.)

On motion of Mr. Sheridan, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES .00

Those who voted in the affirmative were:

Apgar	Draper	Hamn	Miller	Sinclair
Averill	Dudley	Harper	Mills	Smith A E
Baldwin	Duell	Harris	Mooney	Smith C
Baumann	Eagleton	Hart	Moreland	Smith Myron
Blue	Eggleston	Hastings	Morgan	Stern
Boshart	Eichhorn	Hoey	Murphy G W	Stevenson
Brady	Farrell	Holmes	Nevins	Stratton
Brooks	Ferguson	Hooper	Newton	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Foley C F	Huth	O'Brian	Voss
Burhyte	Foley J A	Jackson	Oliver	Waddell
Burns	Fowler	Jacobs	Parker	Wagner
Cavanaugh	Francis	Lansing	Patton	Wainwright
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Ralston	Weimert
Colné	Geoghagan	Lowe	Reece	Wells
Conklin	Glore	Lupton	Robinson	West
Conrady	Glynn	Maher	Rogers	Whitley
Croak	Goldberg	Mallon	Schmidt	Whitney F G
Cunningham	Green	Mance	Schoeneck	Whitney G H
Cuvillier	Gunderman	Marlatt	Schulz	Winters
De Groot	Hackett	Matthews	Schwegler	Wood
Dominy	Haines	Mead	Sheridan	Yale
Donnelly	Hamilton	Merritt	Shuttleworth	Young
Dowling	Hammond			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1801) entitled "An act to amend the Consolidated School Law, relative to compulsory education of children." (Rec. No. 482.)

On motion of Mr. Prentice, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hamn	Miller	Sinclair
Averill	Dudley	Harper	Mills	Smith A E
Baldwin	Duell	Harris	Mooney	Smith C
Baumann	Eagleton	Hart	Moreland	Smith Myron
Blue	Eggleston	Hastings	Morgan	Stern
Boshart	Eichhorn	Hoey	Murphy G W	Stevenson
Brady	Farrell	Holmes	Nevins	Stratton
Brooks	Ferguson	Hooper	Newton	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Foley C F	Huth	O'Brian	Voss
Burhyte	Foley J A	Jackson	Oliver	Waddell
Burns	Fowler	Jacobs	Parker	Wagner
Cavanaugh	Francis	Lansing	Patton	Wainwright
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Ralston	Weimert
Colné	Geoghagan	Lowe	Reece	Wells
Conklin	Glore	Lupton	Robinson	West
Conrad	Glynn	Maher	Rogers	Whitley
Croak	Goldberg	Mallon	Schmidt	Whitney F G
Cunningham	Green	Mance	Schoeneck	Whitney G H
Cuvillier	Gunderman	Marlatt	Schulz	Winters
De Groot	Hackett	Matthews	Schwegler	Wood
Dominy	Haines	Mead	Sheridan	Yale
Donnelly	Hamilton	Merritt	Shuttleworth	Young
Dowling	Hammond			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1796) entitled "An act to amend title two of chapter six

hundred and thirty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Yonkers,' by adding a new section, to be designated as section six-a of title two, relative to the office of city judge." (Rec. No. 474.)

On motion of Mr. Dowling, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hamn	Miller	Sinclair
Averill	Dudley	Harper	Mills	Smith A E
Baldwin	Duell	Harris	Mooney	Smith C
Baumann	Eagleton	Hart	Moreland	Smith Myron
Blue	Eggleston	Hastings	Morgan	Stern
Boshart	Eichhorn	Hoe	Murphy G W	Stevenson
Brady	Farrell	Holmes	Nevins	Stratton
Brooks	Ferguson	Hooper	Newton	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Foley C F	Huth	O'Brian	Voss
Burhyte	Foley J A	Jackson	Oliver	Waddell
Burns	Fowler	Jacobs	Parker	Wagner
Cavanaugh	Francis	Lansing	Patton	Wainwright
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Ralston	Weimert
Colné	Geoghagan	Lowe	Reece	Wells
Conklin	Glore	Lupton	Robinson	West
Conrad	Glynn	Maher	Rogers	Whitley
Croak	Goldberg	Mallon	Schmidt	Whitney F G
Cunningham	Green	Mance	Schoeneck	Whitney G H
Cuvillier	Gunderman	Marlatt	Schulz	Winters
De Groot	Hackett	Matthews	Schweger	Wood
Dominy	Haines	Mead	Sheridan	Yale
Donnelly	Hamilton	Merritt	Shuttleworth	Young
Dowling	Hammond			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1592) entitled "An act to amend the Consolidated School Law, relative to changing school districts." (Rec. No. 429.)

On motion of Mr. Wainwright, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hammond	Miller	Sinclair
Averill	Dudley	Hamn	Mills	Smith A E
Baldwin	Duell	Harper	Moofey	Smith C
Baumann	Eagleton	Harris	Moreland	Smith Myran
Blue	Eggleston	Hart	Morgan	Stern
Boshart	Eichhorn	Hastings	Murphy G W	Stevenson
Brady	Farrell	Hoey	Nevins	Stratton
Brooks	Ferguson	Holmes	Newton	Surpless
Brough	Feth	Hooper	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Foley C F	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jackson	Parker	Wagner
Cavanaugh	Francis	Jacobs	Patton	Wainwright
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Ralston	Weimert
Colné	Geoghagan	Loos	Reece	Wells
Conklin	Glore	Lowe	Robinson	West
Conrady	Glynn	Lupton	Rogers	Whitley
Croak	Goldberg	Maher	Schmidt	Whitney F G
Cunningham	Gray	Mallon	Schoeneck	Whitney G H
Cuvillier	Green	Mance	Schulz	Winters
De Groot	Gunderman	Marlatt	Schwegler	Wood
Dominv	Hackett	Matthews	Sheridan	Yale
Donnelly	Haines	Mead	Shuttleworth	Young
Dowling	Hamilton	Merritt		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1706) entitled "An act to legalize the bonds of union free

school district number ten, of the town of Greenburgh, Westchester county, New York, in the amount of fifteen thousand dollars, sold for the purpose of defraying the expense of building an addition to the school building in said district, and for furnishing and heating the same, and to provide for the payment of said bonds." (Rec. No. 468.)

On motion of Mr. Wainwright, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hamn	Miller	Sinclair
Averill	Dudley	Harper	Mills	Smith A E
Baldwin	Duell	Harris	Mooney	Smith C
Baumann	Eagleton	Hart	Moreland	Smith Myron
Blue	Eggleston	Hastings	Morgan	Stern
Boshart	Eichhorn	Hoey	Murphy G W	Stevenson
Brady	Farrell	Holmes	Nevins	Stratton
Brooks	Ferguson	Hooper	Newton	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Foley C F	Huth	O'Brian	Voss
Burhyte	Foley J A	Jackson	Oliver	Waddell
Burns	Fowler	Jacobs	Parker	Wagner
Cavanaugh	Francis	Lansing	Patton	Wainwright
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Ralston	Weimert
Colné	Geoghagan	Lowe	Reece	Wells
Conklin	Glore	Lupton	Robinson	West
Conrad	Glynn	Maher	Rogers	Whitley
Croak	Goldberg	Mallon	Schmidt	Whitney F G
Cunningham	Green	Mance	Schoeneck	Whitney G H
Cuvillier	Gunderman	Marlatt	Schulz	Winters
De Groot	Hackett	Matthews	Schwegler	Wood
Dominy	Haines	Mead	Sheridan	Yale
Donnelly	Hamilton	Merritt	Shuttleworth	Young
Dowling	Hammond			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 339) entitled "An act making an appropriation to provide additional means of drainage of lands in the town of Wheatfield, in the county of Niagara, by deepening and improving Sawyers creek and its tributaries." (Int. No. 338.)

On motion of Mr. C. F. Foley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hammond	Miller	Sinclair
Averill	Dudley	Hamn	Mills	Smith A E
Baldwin	Duell	Harper	Mooney	Smith C
Baumann	Eagleton	Harris	Moreland	Smith Myron
Blue	Eggleston	Hart	Morgan	Stern
Boshart	Eichhorn	Hastings	Murphy G W	Stevenson
Brady	Farrell	Hoey	Nevins	Stratton
Brooks	Ferguson	Holmes	Newton	Surpluss
Brough	Feth	Hooper	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Foley C F	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jackson	Parker	Wagner
Cavanaugh	Francis	Jacobs	Patton	Wainwright
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Ralston	Weimert
Colné	Geoghagan	Loos	Reece	Wells
Conklin	Glore	Lowe	Robinson	West
Conrady	Glynn	Lupton	Rogers	Whitley
Croak	Goldberg	Maher	Schmidt	Whitney F G
Cunningham	Gray	Mallon	Schoeneck	Whitney G H
Cuvillier	Green	Mance	Schulz	Winters
De Groot	Gunderman	Marlatt	Schwegler	Wood
Dominy	Hackett	Sheridan	Schwegler	Yale
Donnelly	Haines	Mead	Shuttleworth	Young
Dowling	Hamilton	Merritt		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1742) entitled "An act for the construction of a bridge across

South Bay in Washington county and making an appropriation therefor." (Int. No. 1371.)

On motion of Mr. Norton, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hammond	Merritt	Shuttleworth
Averill	Dudley	Hamm	Miller	Sinclair
Baldwin	Duell	Harper	Mills	Smith A E
Baumann	Eagleton	Harris	Mooney	Smith C
Blue	Eggleston	Hart	Moreland	Smith Myron
Boshart	Eichhorn	Hastings	Morgan	Stern
Brady	Farrell	Hoey	Murphy G W	Stevenson
Brooks	Ferguson	Holmes	Nevins	Stratton
Brough	Feth	Hooper	Newton	Surpless
Brown	Filley	Hubbs	Northrup	Todd
Buckley	Foley C F	Hurd	Norton	Volk
Burhyte	Foley J A	Huth	O'Brian	Voss
Burns	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Jacobs	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Wainwright
Cole	Ganly	Lee	Phillips	Waters
Colins	Garbe	Lewis	Prentice	Weber
Colne	Geoghagan	Loos	Ralston	Weimert
Conklin	Glore	Lowe	Reece	West
Conrady	Glynn	Lupton	Robinson	Whitley
Croak	Goldberg	Maher	Rogers	Whitney F G
Cunningham	Gray	Mallon	Schmidt	Whitney G H
Cuvillier	Green	Mance	Schoeneck	Winters
De Groot	Gunderman	Marlatt	Schulz	Wood
Dominy	Hackett	Matthews	Schwegler	Yale
Donnelly	Haines	Mead	Sheridan	Young
Dowling	Hamilton			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1189) entitled "An act to provide for the acquisition and preservation of the historic house, formerly owned and occupied by General Nicholas Herkimer, in the town of Danube, in the county

of Herkimer, and making an appropriation therefor." (Int. No. 1030.)

On motion of Mr. Ferguson, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hammond	Miller	Sinclair
Averill	Dudley	Hamn	Mills	Smith A E
Baldwin	Duell	Harper	Mooney	Smith C
Baumann	Eagleton	Harris	Moreland	Smith Myron
Blue	Eggleston	Hart	Morgan	Stern
Bosbart	Eichhorn	Hastings	Murphy G W	Stevenson
Brady	Farrell	Hoey	Nevins	Stratton
Brooks	Ferguson	Holmes	Newton	Surpless
Brough	Feth	Hooper	Northrup	Todd
Brown	Fillely	Hubbs	Norton	Volk
Buckley	Foley C F	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	W. ell
Burns	Fowler	Jackson	Parker	W. ier
Cavanaugh	Francis	Jacobs	Patton	Wainwright
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Ralston	Weimert
Colné	Geoghagan	Loos	Reece	Wells
Conklin	Glore	Lowe	Robinson	West
Conrady	Glynn	Lupton	Rogers	Whitley
Croak	Goldberg	Maher	Schmidt	Whitney F G
Cunningham	Gray	Mallon	Schoeneck	Whitney G H
Cuvillier	Green	Mance	Schulz	Winters
De Groot	Gunderman	Marlatt	Schwegler	Wood
Dominy	Hackett	Matthews	Sheridan	Yale
Donnelly	Haines	Mead	Shuttleworth	Young
Dowling	Hamilton	Meritt		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 827) entitled "An act to provide for the purchase of one certain lot of land situate in the city of Kingston, in the county of Ulster, lying on North Front street and adjoining the Senate House property, and making an appropriation therefor." (Int. No. 762.)

On motion of Mr. Fowler, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hammond	Miller	Sinclair
Averill	Dudley	Hamn	Mills	Smith A E
Baldwin	Duell	Harper	Mooney	Smith C
Baumann	Eagleton	Harris	Moreland	Smith Myron
Blue	Eggleston	Hart	Morgan	Stern
Boshart	Eichhorn	Hastings	Murphy G W	Stevenson
Brady	Farrell	Hoey	Nevins	Stratton
Brooks	Ferguson	Holmes	Newton	Surpluss
Brough	Feth	Hooper	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Foley C F	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jackson	Parker	Wagner
Cavanaugh	Francis	Jacobs	Patton	Wainwright
Chamberlain	Erisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Ralston	Weimert
Conklin	Geoghagan	Loos	Reece	Wells
Colné	Glore	Lowe	Robinson	West
Croak	Glynn	Lupton	Rogers	Whitley
Conrady	Goldberg	Maher	Schmidt	Whitney F G
Cunningham	Gray	Mallon	Schoeneck	Whitney G H
Cuvillier	Green	Mance	Schulz	Winters
De Groot	Gunderman	Marlatt	Schwegler	Wood
Dominy	Hackett	Matthews	Sheridan	Yale
Donnelly	Haines	Mead	Shuttleworth	Young
Dowling	Hamilton	Merritt		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 480) entitled "An act providing for the construction of a steel bridge over the Bowmans creek on State lands adjacent to the Erie canal aqueduct number 10, in the town of Canajoharie, Montgomery county, and the necessary repairs to the existing abutments and approaches thereto, and making an appropriation therefor." (Int. No. 467.)

On motion of Mr. Staley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hammond	Miller	Sinclair
Averill	Dudley	Hamn	Mills	Smith A E
Baldwin	Duell	Harper	Mooney	Smith C
Baumann	Eagleton	Harris	Moreland	Smith Myron
Blue	Eggleston	Hart	Morgan	Stern
Boshart	Eichhorn	Hastings	Murphy G W	Stevenson
Brady	Farrell	Hoey	Nevins	Stratton
Brooks	Ferguson	Holmes	Newton	Surpless
Brough	Feth	Hooper	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Foley C F	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jackson	Parker	Wagner
Cavanaugh	Francis	Jacobs	Patton	Wainwright
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Ralston	Weimert
Colné	Geoghagan	Loos	Reece	Wells
Conklin	Glore	Lowe	Robinson	West
Conrad	Glynn	Lupton	Rogers	Whitley
Croak	Goldberg	Maher	Schmidt	Whitney F G
Cunningham	Gray	Mallon	Schoeneck	Whitney G H
Cuvillier	Green	Mance	Schulz	Winters
De Groot	Gunderman	Marlatt	Schwegler	Wood
Dominy	Hackett	Matthews	Sheridan	Yale
Donnelly	Haines	Mead	Shuttleworth	Young
Dowling	Hamilton	Merritt		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1933) entitled "An act for the erection of a monument to the memory of John C. Fremont, in Rockland cemetery, in the county of Rockland, and making an appropriation therefor." (Int. No. 1481.)

On motion of Mr. Colné, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hammond	Miller	Sinclair
Averill	Dudley	Hamn	Mills	Smith A E
Baldwin	Duell	Harper	Mooney	Smith C
Baumann	Eagleton	Harris	Moreland	Smith Myron
Blue	Eggleston	Hart	Morgan	Stern
Boshart	Eichhorn	Hastings	Murphy G W	Stevenson
Brady	Farrell	Hoe	Nevins	Stratton
Brooks	Ferguson	Holmes	Newton	Surpless
Brough	Feth	Hooper	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Foley C F	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jackson	Parker	Wagner
Cavanaugh	Francis	Jacobs	Patton	Wainwright
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Ralston	Weimert
Colné	Geoghagan	Loos	Reece	Wells
Conklin	Glore	Lowe	Robinson	West
Conrady	Glynn	Lupton	Rogers	Whitley
Croak	Goldberg	Maher	Schmidt	Whitney F G
Cunningham	Gray	Mallon	Schoeneck	Whitney G H
Cuvillier	Green	Mance	Schulz	Winters
De Groot	Gunderman	Marlatt	Schwegler	Wood
Dominy	Hackett	Matthews	Sheridan	Yale
Donnelly	Haines	Mead	Shuttleworth	Young
Dowling	Hamilton	Merritt		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

At 11.25 o'clock a. m., on motion of Mr. Moreland the House took a recess until 2 o'clock p. m.

TWO O'CLOCK AND FIFTY MINUTES P. M.

The House again convened.

Mr. Phillips gives notice that he requests that the Senate bill (No. 1832, Rec. No. 500) entitled "An act to organize the Senate

districts and for the apportionment of the members of Assembly of this State," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second reading.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by special committee on apportionment (No. 1832, Rec. No. 500), entitled "An act to organize the Senate districts and for the apportionment of the members of Assembly of this State," reported in favor of the passage of the same without amendment, and that the same be made special order on second reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bill ordered made special orders on second reading immediately after the consideration of the special order on third reading heretofore reported.

Mr. Speaker announced the special order, being the Senate bill (No. 1832, Rec. No. 500) entitled "An act to organize the Senate districts and for the apportionment of the members of Assembly of this State."

Said bill having been announced for second reading, Mr. Phillips moved to amend as follows:

On page 13, line 6, strike out "Sullivan" and insert "Putnam".

On page 13, line 8, after "Columbia" strike out "," and insert "and"; also strike out the words "and Putnam".

On page 14, line 8, strike out "Broome" and insert "Sullivan".

On page 14, line 12, strike out "Cavuga, Seneca and" and insert "Broome," also after "Cortland" insert "and Tioga".

On page 14, line 14, after "of" insert "Cavuga, Seneca,"; also after "Tompkins" strike out ", Chemung, Tioga".

On page 14, line 18, strike out "Livingston" and insert "Chemung".

On page 14, line 20, after "Wyoming" insert ", Livingston".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to special order second reading.

Mr. Moreland moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded :

Allen	Draper	Hamn	Mills	Shuttleworth
Baldwin	Dudley	Harawitz	Moreland	Sinclair
Baumann	Duell	Harris	Morgan	Smith C
Blue	Eagleton	Hart	Murphy C F	Smith Myron
Brooks	Eichhorn	Hoey	Murphy G W	Staley
Brough	Fay	Holmes	Nevins	Stern
Brown	Ferguson	Hooper	Newton	Stevenson
Buckley	Filley	Hubbs	Northrup	Stratton
Burhyte	Foley C F	Jackson	Norton	Volk
Burns	Foley J A	Keller	O'Brian	Voss
Burzynski	Fowler	Lansing	Oliver	Wagner
Cavanaugh	Francis	Lee	Parker	Wainwright
Chamberlain	Frisbie	Lewis	Patton	Waters
Cole	Ganly	Loos	Phillips	Weber
Collins	Geoghagan	Lowe	Prentice	Weimert
Colné	Glore	Lupton	Prince	Wells
Conklin	Glynn	Maher	Ralston	West
Croak	Green	Mallon	Reece	Whitley
Cuvillier	Gunderman	Mance	Robinson	Whitney F G
De Groot	Hackett	Marlatt	Rogers	Whitney G H
Dobbs	Haines	McCue	Schoeneck	Winters
Dominy	Hamilton	Mead	Schwegler	Wood
Donnelly	Hammond	Merritt	Sheridan	Yale
Dowling				

Mr. Moreland moved that the call of the House be made a close call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the bill (No. 2880) entitled "An act to amend the Greater New York charter, relative to aldermanic districts, the division of the city into the same and the boundaries thereof, and to districts for home rule and local improvements," (Int. No. 723).

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 1

Those who voted in the affirmative were:

Apgar	Draper	Hammond	Merritt	Sinclair
Averill	Dudley	Hamn	Miller	Smith A E
Baldwin	Duell	Harper	Mills	Smith C
Baumann	Eagleton	Harris	Mooney	Smith Myron
Blue	Eggleston	Hart	Moreland	Stern
Boshart	Eichhorn	Hastings	Morgan	Stevenson
Brady	Farrell	Hoey	Murphy G W	Stratton
Brooks	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hooper	Newton	Todd
Brown	Fillee	Hubbs	Northrup	Volk
Buckley	Foley C F	Hurd	Norton	Voss
Burhyte	Foley J A	Huth	O'Brian	Waddell
Burns	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Jacobs	Parker	Wainwright
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Collins	Garbe	Lewis	Prentice	Weimert
Colné	Geoghagan	Loos	Ralston	Wells
Conklin	Glore	Lowe	Reece	West
Conrady	Glynn	Lupton	Robinson	Whitley
Croak	Goldberg	Maher	Rogers	Whitney F G
Cunningham	Gray	Mallon	Schmidt	Whitney G H
Cuvillier	Green	Mance	Schoeneck	Winters
De Groot	Gunderman	Marlatt	Schulz	Wood
Dominy	Hackett	Matthews	Schwegler	Yale
Donnelly	Haines	Mead	Shuttleworth	Young
Dowling	Hamilton			

In the negative:

Sheridan

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1194) entitled "An act to amend the Town Law, relating to the duties of supervisors" (Rec. No. 342), said bill having been announced for a second reading,

On motion of Mr. Moreland, and by unanimous consent, said bill was made a special order on second and third reading for Friday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the Senate bill (No. 1427) entitled "An act to amend the County Law, in relation to giving boards of supervisors authority to fix the compensation of town boards" (Rec. No. 428).

On motion of Mr. Hubbs, said bill was read the second time and ordered to a third reading.

S: bill was then read the third time, having been printed and up the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 3

Those who voted in the affirmative were:

Apgar	Dowling	Hamilton	Merritt	Sinclair
Averill	Draper	Hamn	Miller	Smith A E
Baldwin	Dudley	Harper	Mills	Smith C
Baumann	Duell	Harris	Mooney	Smith Myron
Blue	Eagleton	Hart	Moreland	Stern
Boshart	Eggleston	Hastings	Morgan	Stevenson
Brady	Eichhorn	Hoey	Murphy G W	Stratton
Brooks	Farrell	Holmes	Nevins	Surplless
Brough	Ferguson	Hooper	Newton	Todd
Brown	Feth	Hubbs	Northrup	Volk
Buckley	Filley	Hurd	Norton	Voss
Burhyte	Foley C F	Huth	O'Brian	Waddell
Burns	Foley J A	Jackson	Oliver	Wagner
Cavanaugh	Francis	Jacobs	Parker	Wainwright
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Ralston	Weimert
Colné	Geoghagan	Loos	Reece	Wells
Conklin	Glore	Lowe	Robinson	West
Conrady	Glynn	Lupton	Rogers	Whitley
Croak	Goldberg	Maher	Schmidt	Whitney F G
Cunningham	Gray	Mallon	Schoeneck	Whitney G H
Cuvillier	Green	Mance	Schulz	Winters
De Groot	Gunderman	Marlatt	Schwegler	Wood
Dominy	Hackett	Matthews	Sheridan	Yale
Donnelly	Haines	Mead	Shuttleworth	Young

Those who voted in the negative were:

Fowler	Hammond	Phillips
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Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 2882) entitled "An act to amend the Forest, Fish and Game Law, in relation to the transportation of the carcasses and venison of domesticated deer." (Int. No. 1966.)

On motion of Mr. Hooper, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hamn	Miller	Sinclair
Averill	Dudley	Harper	Mills	Smith A L
Baldwin	Duell	Harris	Mooney	Smith C
Baumann	Eagleton	Hart	Moreland	Smith Myron
Blue	Eggleston	Hastings	Morgan	Stern
Boshart	Eichhorn	Hoey	Murphy G W	Stevenson
Brady	Farrell	Holmes	Nevins	Stratton
Brooks	Ferguson	Hooper	Newton	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Foley C F	Huth	O'Brian	Voss
Burhyte	Foley J A	Jackson	Oliver	Waddell
Burns	Fowler	Jacobs	Parker	Wagner
Cavanaugh	Francis	Lansing	Patton	Wainwright
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Ralston	Weimert
Colné	Geoghagan	Lowe	Reece	Wells
Conklin	Glore	Lupton	Robinson	West
Conrady	Glynn	Maher	Rogers	Whitley
Croak	Goldberg	Mallon	Schmidt	Whitney F G
Cunningham	Green	Mance	Schoeneck	Whitney G B
Cuvillier	Gunderman	Marlatt	Schulz	Winters
De Groot	Hackett	Matthews	Schwegler	Wood
Dominy	Haines	Mead	Sheridan	Yale
Donnelly	Hamilton	Merritt	Shuttleworth	Young
Dowling	Hammond			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2647) entitled "An act to create the office of State fire marshal, defining his duties and fixing compensation" (Int. No. 1847); said bill having been announced for a second reading.

On motion of Mr. Schoeneck, said bill was recommitted to the committee on rules, retaining its place on the order of second reading.

Mr. Speaker announced the special order, being the Senate bill

(No. 1705) entitled "An act to incorporate the Lower Bridge Company" (Rec. No. 472). Said bill having been announced for second reading, Mr. Weimert moved to amend as follows:

Page 1, line 9, strike out "South" and insert in place thereof "north".

Page 1, line 9, strike out "thirty-three" and insert in place thereof "thirty-two".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

On motion of Mr. Draper, said bill was then read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 91

NOES 24

Those who voted in the affirmative were:

Baldwin	Donnelly	Hammond	Marlatt	Sinclair
Baumann	Dowling	Harawitz	Matthews	Smith A E
Blue	Draper	Hoey	McCue	Smith C
Boshart	Eichhorn	Holmes	Merritt	Smith Myron
Brooks	Fay	Hooper	Miller	Staley
Brough	Ferguson	Hubbs	Mills	Stanton
Buckley	Foley C F	Hurd	Mooney	Stern
Burhyte	Foley J A	Jackson	Morgan	Stevenson
Cavanaugh	Francis	Keller	Murphy G W	Surpless
Chamberlain	Frisbie	Lansing	Nevins	Volk
Cole	Ganly	Lee	Newton	Walters
Collins	Garbe	Lewis	Oliver	Waters
Conklin	Glynn	Loos	Phillips	Weber
Conrady	Green	Lowe	Prentice	West
Croak	Gunderman	Lupton	Prince	Whitney G H
Cuvillier	Hackett	Maher	Ralston	Wood
De Groot	Haines	Mallon	Schoeneck	Yale
Dobbs	Hamilton	Mance	Sheridan	Young
Dominy				

Those who voted in the negative were:

Averill	Fille	Hart	Parker	Weimert
Brown	Flanagan	Mead	Patton	Wells
Colné	Fowler	Northrup	Shuttleworth	Whitley
Cunningham	Geoghagan	Norton	Stratton	Winters
Dudley	Hamn	O'Brian	Wainwright	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1322) entitled "An act to amend the Insurance Law, relating to permitting the incorporation of beneficiary societies, orders or associations of persons in the service of the same employer, for the purpose of furnishing relief to members in case of sickness, disability or death." (Rec. No. 419.)

On motion of Mr. Patton, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hamn	Miller	Sinclair
Averill	Dudley	Harper	Mills	Smith A E
Baldwin	Duell	Harris	Mooney	Smith C
Baumann	Eagleton	Hart	Moreland	Smith Myron
Blue	Eggleston	Hastings	Morgan	Stern
Boshart	Eichhorn	Hoey	Murphy G W	Stevenson
Brady	Farrell	Holmes	Nevins	Stratton
Brooks	Ferguson	Hooper	Newton	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Foley C F	Huth	O'Brian	Voss
Burhyte	Foley J A	Jackson	Oliver	Waddell
Burns	Fowler	Jacobs	Parker	Wagner
Cavanaugh	Francis	Lansing	Patton	Wainwright
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Ralston	Weimert
Colné	Geoghagan	Lowe	Reece	Wells
Conklin	Glore	Lupton	Robinson	West
Conrad	Glynn	Maher	Rogers	Whitley
Croak	Goldberg	Mallon	Schmidt	Whitney F G
Cunningham	Green	Mance	Schoeneck	Whitney G H
Cuvillier	Gunderman	Marlatt	Schulz	Winters
De Groot	Hackett	Matthews	Schwegler	Wood
Dominy	Haines	Mead	Sheridan	Yale
Donnelly	Hamilton	Merritt	Shuttleworth	Young
Dowling	Hammond			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Dowling moved to take from the table his motion to reconsider the vote by which the motion to concur in the amendments of the Senate to Assembly bill (No. 310, Senate reprint No. 1383, Int. No. 309) entitled "An act to provide for a connecting railroad in the borough of Manhattan between the Brooklyn bridge and the Williamsburgh bridge, in the city of New York," was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill having been announced, Mr. Dowling moved to reconsider the vote by which said motion to concur in Senate amendments was lost.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hamn	Miller	Sinclair
Averill	Dudley	Harper	Mills	Smith A E
Baldwin	Duell	Harris	Mooney	Smith C
Baumann	Eagleton	Hart	Moreland	Smith Myron
Blue	Eggleston	Hastings	Morgan	Stern
Boshart	Eichhorn	Hoey	Murphy G W	Stevenson
Brady	Farrell	Holmes	Nevins	Stratton
Brooks	Ferguson	Hooper	Newton	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Foley C F	Huth	O'Brian	Voss
Burhyte	Foley J A	Jackson	Oliver	Waddell
Burns	Fowler	Jacobs	Parker	Wagner
Cavanaugh	Francis	Lansing	Patton	Wainwright
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Ralston	Weimert
Colné	Geoghagan	Lowe	Reece	Wells
Conklin	Glore	Lupton	Robinson	West
Conrady	Glynn	Maher	Rogers	Whitley
Croak	Goldberg	Mallon	Schmidt	Whitney F G
Cunningham	Green	Mance	Schoeneck	Whitney G H
Cuvillier	Gunderman	Marlatt	Schulz	Winters
De Groot	Hackett	Matthews	Schwegler	Wood
Dominy	Haines	Mead	Sheridan	Yale
Donnelly	Hamilton	Meritt	Shuttleworth	Young
Dowling	Hammond			

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

AYES 64

NOES 61

Those who voted in the affirmative were:

Averill	Dowling	Gunderman	Marlatt	Shuttleworth
Baldwin	Dudley	Hamilton	Matthews	Sinclair
Baumann	Eichhorn	Hammond	Mead	Smith C
Boshart	Fay	Hamn	Merritt	Staley
Brooks	Ferguson	Hubbs	Miller	Surpless
Brown	Flanagan	Hurd	Mills	Voss
Chamberlain	Foley C F	Lansing	Mooney	Weber
Colné	Frisbie	Lee	Murphy C F	Whitley
Conrady	Garbe	Lewis	Murphy G W	Whitney F G
De Groot	Geoghagan	Lowe	Newton	Whitney G H
Dobbs	Glore	Lupton	Norton	Wood
Dominy	Gluck	Maher	Ralston	Yale
Donnelly	Green	Mance	Schoeneck	

Those who voted in the negative were:

Blue	Eagleton	Hart	O'Brian	Smith A E
Buckley	Filley	Hoey	Oliver	Stanton
Burhyte	Foley J A	Holmes	Parker	Stern
Burns	Fowler	Hooper	Patton	Stevenson
Burzynski	Francis	Jackson	Phillips	Stratton
Cavanaugh	Ganly	Keller	Prentice	Wagner
Cole	Glynn	Loos	Prince	Wainwright
Collins	Hackett	Mallon	Reece	Welters
Conklin	Haines	McCue	Robinson	Waters
Croak	Harawitz	Morgan	Rogers	Wells
Cunningham	Harper	Nevins	Schwegler	Winters
Cuvillier	Harris	Northrup	Sheridan	Young
Duell				

By unanimous consent, Mr. Wainwright called up Assembly bill (No. 2890, Int. No. 775) entitled "An act to amend the Election Law, in relation to the publicity of contributions to, and expenditures of campaign funds, and providing for judicial inquiries relative thereto," now on the order of second reading.

On motion of Mr. Wainwright, and by unanimous consent, said bill was read the second time and ordered to a third reading.

A message from the Governor was received and read, in words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, In accordance with the provisions of section 15 of article 3 of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Assembly bill (Int. No. 775, Reprint No. 2890) entitled "An act to amend the Election Law in relation to the publicity of contributions to, and expenditures of campaign funds, and providing for judicial inquiries relative thereto."

Given under my hand and the privy seal of the State at the Capitol in the city of Albany this sixth day of June in the year of our Lord one thousand nine hundred and seven.

(Signed.)

CHARLES E. HUGHES.

By the Governor.

ROBERT H. FULLER,

Secretary to the Governor.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, the necessity for the immediate passage of the same having been certified by the Governor, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 1

Those who voted in the affirmative were:

Apgar	Draper	Hamn	Miller	Sinclair
Averill	Dudley	Harper	Mills	Smith A E
Baldwin	Duell	Harris	Mooney}	Smith C
Baumarn	Eagleton	Hart	Moreland	Smith Myron
Blue	Eggleston	Hastings	Morgan	Stern
Boshart	Eichhorn	Hoey	Murphy G W	Stevenson}}
Brady	Farrell	Holmes	Nevins	Stratton
Brooks	Ferguson	Hooper	Newton	Surpluss}
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Foley C F	Huth	O'Brian	Voss
Burhyte	Foley J A	Jackson	Oliver	Waddell
Burns	Fowler	Jacobs	Parker	Wagner
Cavanaugh	Francis	Lansing	Patton	Wainwright
Chamberlain	Frisbie	Lee	Phillips	Waters

Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Ralston	Weimert
Colné	Geoghagan	Lowe	Reece	Wells
Conklin	Glore	Lupton	Robinson	West
Conrady	Glynn	Maher	Rogers	Whitley
Croak	Goldberg	Mallon	Schmidt	Whitney F G
Cunningham	Green	Mance	Schoenegk	Whitney G H
Cuvillier	Gunderman	Marlatt	Schulz	Winters
De Groot	Hackett	Matthews	Schwegler	Wood
Dominy	Haines	Mead	Sheridan	Yale
Donnelly	Hamilton	Merritt	Shuttleworth	Young
Dowling	Hammond			

In the negative:

Bohan

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

The Senate sent for concurrence the Senate bill (No. 446, Rec. No. 235) entitled "An act in relation to the use and occupancy of the hall of records in the county of New York" with a message that this bill was duly passed by the Senate and Assembly and was transmitted to the mayor of the city of New York, for a public hearing in said city, as provided by law, and was returned by said mayor with a message that said bill, after a public hearing thereon, had not been accepted by the city nor by the mayor. Said bill was thereafter and on this day again duly passed, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, the President stating the question to be "Shall this bill pass notwithstanding the objection of the mayor of the city of New York thereto."

Mr. Speaker stated the question to be "Shall this bill pass notwithstanding the objections of the mayor of the city of New York thereto?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

AYES 79

NOES 17

Those who voted in the affirmative were:

Allen	De Groot	Gunderman	Maher	Stanton
Averill	Dobbs	Hackett	Mallon	Stevenson
Boshart	Dominy	Haines	Matthews	Stratton
Brooks	Dowling	Hamilton	Moreland	Surpless

Brough	Draper	Hammond	Morgan	Volk
Brown	Dudley	Hamn	Murphy G W	Voss
Burns	Eichhorn	Harawitz	Norton	Wagner
Burzynski	Ferguson	Harris	Parker	Walters
Cavanaugh	Foley C F	Hoey	Patton	Waters
Chamberlain	Foley J A	Holmes	Prince	Weber
Cole	Fowler	Hooper	Reece	Weimert
Collins	Frisbie	Hubbs	Schoeneck	Wells
Colné	Ganly	Jackson	Shuttleworth	Whitley
Conklin	Glore	Lewis	Sinclair	Yale
Conrady	Glynn	Loos	Smith A E	Young
Cunningham	Green	Lowe	Smith C	

Those who voted in the negative were:

Baumann	Eagleton	Garbe	Harper	Lupton
Buckley	Fay	Geoghagan	Keller	McCue
Burhyte	Filley	Gluck	Lansing	Schwegler
Cuvillier	Flanagan			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have again concurred in the passage of the same.

A message was received from the Senate in words following:

IN SENATE, *June 6, 1907.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 1359, reprint No. 1834, Rec. No. 332) entitled "An act to amend chapter three hundred and twenty-one of the Laws of eighteen hundred and ninety-eight, entitled 'An act to make the office of sheriff of Oneida county a salaried office, and to regulate the management thereof,' relative to the appointment and compensation of an office deputy."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Ackroyd, and by unanimous consent, the same was amended as follows:

Amend by striking out on page 3, line 12, the words "of one thousand dollars" and substitute in place thereof the words "as fixed by the board of supervisors".

Said bill, as amended, was reprinted, re-engrossed and, having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

LAFAYETTE B. GLEASON,

Clerk.

Objection being made to the immediate consideration of said message, ordered that said message be referred to the committee on rules.

The Senate returned the Assembly bill (No. 1997, Senate reprint No. 1809, Int. No. 33) entitled "An act to amend the Code of Criminal Procedure, in relation to what persons are vagrants," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 4, after "been" strike out the rest of the line and insert "more than once".

Same page, line 5, before "convicted" strike out "been".

On page 2, line 1, after "bly" strike out "acting suspiciously".

Mr. Winters moved to concur in the Senate amendments.

Objection being made to the immediate consideration of said message, ordered that said message be referred to the committee on rules.

A message was received from the Senate, in words following:

IN SENATE, *June 6, 1907.*

Pursuant to concurrent resolution of the Senate and Assembly the Governor returned the Senate bill (No. 1360, reprint No. 1833, Rec. No. 331) entitled "An act to amend chapter ninety-eight of the Laws of nineteen hundred, entitled 'An act making the office of treasurer of Oneida county a salaried office,' and regulating the management thereof."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Ackroyd, and by unanimous consent, the same was amended as follows:

Amend by striking out on page 2, line 17, the words "of fifteen hundred dollars" and substitute in place thereof the words "as fixed by the board of supervisors."

Said bill, as amended, was reprinted, re-engrossed and, having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

LAFAYETTE B. GLEASON,
Clerk.

Objection being made to the immediate consideration of said message, ordered that said message be referred to the committee on rules.

Mr. Hart offered for the consideration of the House a resolution, in the words following:

Resolved, That there be printed one thousand copies of the advance sheets of chapter four hundred and seventy-three of the Session Laws of nineteen hundred and six, entitled "An act to provide for the government of cities of the second class," for the use of the members of the Legislature.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hammond	Miller	Sinclair
Averill	Dudley	Hamn	Mills	Smith A E
Baldwin	Duell	Harper	Mooney	Smith C
Baumann	Eagleton	Harris	Moreland	Smith Myron
Blue	Eggleston	Hart	Morgan	Stern
Boshart	Eichhorn	Hastings	Murphy G W	Stevenson
Brady	Farrell	Hoey	Nevins	Stratton
Brooks	Ferguson	Holmes	Newton	Surpless
Brough	Feth	Hooper	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Foley C F	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jackson	Parker	Wagner
Cavanaugh	Francis	Jacobs	Patton	Wainwright
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Ralston	Weimert
Colne	Geoghagan	Loos	Reece	Wells
Conklin	Glore	Lowe	Robinson	West
Conrady	Glynn	Lupton	Rogers	Whitley
Croak	Goldberg	Maher	Schmidt	Whitney F G
Cunningham	Gray	Mallon	Schoeneck	Whitney G H
Cuvillier	Green	Mance	Schulz	Winters
De Groot	Gunderman	Marlatt	Schwegler	Wood
Dominy	Hackett	Matthews	Sheridan	Yale
Donnelly	Haines	Mead	Shuttleworth	Young
Dowling	Hamilton	Merritt		

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, May 6, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly herewith is returned for amendment Assembly bill (No. 553, Int. No. 186) entitled "An act to amend the Forest, Fish and

Game Law in relation to nets in the Hudson and Delaware rivers and adjacent waters."

CHARLES E. HUGHES.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, April 26, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 631, Int. No. 590) entitled "An act to authorize the police commissioner of the city of New York in his discretion, to reopen the investigation of the legality of the appointment of Joseph Devlin as a member of the police department and force of the city of New York, to make a reinvestigation of the same and to reinstate or restore him as a roundsman in the police department and force of said city."

CHARLES E. HUGHES.

Mr. Apgar offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 553, Int. No. 186) entitled, "An act to amend the Forest, Fish and Game Law in relation to nets in the Hudson and Delaware rivers and adjacent waters," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Lee offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 2605, Int. No. 1823) entitled "An act to amend the Code of Civil Procedure, in relation to Richmond county," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Brown offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 631, Int. No. 590) entitled "An act to authorize the police commissioner of the city of New York, in his discretion, to reopen the investigation of the legality of the appointment of Joseph Devlin as a member of the police department and force of the city of New York, to make a reinvestigation of the same and to reinstate or restore him as a roundsman in the police department and force of said city," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *June 5, 1907.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 1377, Rec. No. 352) entitled "An act to prescribe regulations for the review of apportionments by the Legislature or other bodies."

By order of the Senate,

LAFAYETTE B. GLEASON,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *June 6, 1907.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 286, Rec. No. 46) entitled "An act to authorize the board of estimate and apportionment of the city of New York, in its discre-

tion, to examine, audit, and allow the claims of James T. Ellett and Frank Miller, for compensation for services rendered as secretary and watchman, respectively, to the Richmond county park commissioners," for the purpose of amendment.

By order of the Senate,

LAFAYETTE B. GLEASON,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill (No. 555, Senate reprint No. 1488, Assembly reprint No. 2871, Int. No. 346) entitled "An act to amend the Public Health Law, in relation to the retailing of poisons," with a message that they have reconsidered the vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 2849, Int. No. 1946) entitled "An act making an appropriation for the payment for the fiscal year beginning on the first day of October, nineteen hundred and seven, of interest on the canal debt contracted or to be contracted under article seven, section four of the Constitution."

Also, the bill (No. 2850, Int. No. 1947) entitled "An act making an appropriation for the payment for the fiscal year beginning on the first day of October, nineteen hundred and six, of interest on the canal debt contracted or to be contracted under article seven, section four of the Constitution, and as provided by chapter three hundred and two of the Laws of nineteen hundred and six."

Also, the bill (No. 1860, Int. No. 986) entitled "An act to amend the Domestic Relations Law, relating to the liability of married women for necessities."

Also, the bill (No. 2846, Int. No. 1943) entitled "An act to provide ways and means for the annual contribution to the canal debt sinking funds."

Also, the bill (No. 2847, Int. No. 1944) entitled "An act making an appropriation for the payment of interest on the debt for highway improvement contracted or to be contracted under article seven, section twelve of the Constitution, and as provided by law, for the fiscal year beginning on the first day of October, nineteen hundred and seven."

Also, the bill (No. 2848, Int. No. 1945) entitled "An act to provide ways and means for the annual contribution to the highway improvement fund."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the Assembly bill (No. 2760, Senate reprint No. 1807, Int. No. 1592) entitled "An act to amend the Tax Law, in relation to ascertaining value of special franchises and equalization thereof, powers of State Board of Tax Commissioners, review of assessments and collection of taxes."

Also, Assembly bill (No. 1339, Senate reprint No. 1537, Int. No. 462) entitled "An act to amend the Domestic Relations Law, in relation to marriage by written agreement.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 2556, Int. No. 1001) entitled "An act to amend the Penal Code, in relation to adultery."

Also, the bill (No. 2428, Int. No. 1202) entitled "An act to amend the Tax Law, in relation to the description of special franchises."

Also, the bill (No. 2255, Int. No. 1567) entitled "An act to amend chapter five hundred and ninety-six of the Laws of eighteen hundred and seventy-four, entitled 'An act to incorporate the Manhattan Mortgage Company,' in relation to loans on real estate," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 1407, Int. No. 922) entitled "An act to amend chapter seven hundred and twenty-four of the Laws of nineteen hundred and five, entitled 'An act to provide for an additional supply of pure and wholesome water for the city of New York; and for the acquisition of lands or interest therein, and for the construction of the necessary reservoirs, dams, aqueducts, filters and other appurtenances for that

purpose; and for the appointment of a commission with the powers and duties necessary and proper to attain these objects,' in relation to clerks, stenographers, surveyors and other employees to commissioners," with a message that this bill was again duly passed, a majority of all the senators elected voting in favor thereof, and three-fifths being present, the president stating the question to be "Shall this bill pass notwithstanding the objection of the mayor of the city of New York thereto?"

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 2036, Int. No. 1402) entitled "An act to establish a police pension fund for the city of Poughkeepsie," with a message that this bill was again duly passed, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, the president stating the question to be "Shall this bill pass notwithstanding the failure of the mayor of the city of Poughkeepsie to return said bill within the time prescribed by law."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 2051, Int. No. 813) entitled "An act to amend chapter two hundred and fifty-nine of the Laws of nineteen hundred, entitled 'An act to change the name of the "Justices Court of the city of Troy" to the "City Court of Troy," to prescribe the manner of the appointment of the clerk thereof, and of marshals and attendants upon said court, to increase the jurisdiction thereof, to abolish the office of constable in the city of Troy, and to regulate the practice in said court,' generally," with a message this bill was again duly passed, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, the president stating the question to be "Shall this bill pass notwithstanding the objections of the common council, the legislative body of the city of Troy, thereto."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 2712, Int. No. 1866) entitled "An act to amend the Greater New York charter, in relation to powers of the police commissioner and fire commissioner to rehear charges and reinstate discharged members," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 1709, reprint No. 2875, Int. No. 1351) entitled "An act to amend chapter two hundred and seventy-five of the Laws of eighteen hundred and ninety-nine, entitled 'An act to revise the charter of the city of Gloversville,' giving the common council authority to make an annual appropriation to the Nathan Littauer Hospital Association," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Gloversville.

The Senate returned the bill (No. 2443, reprint No. 2878, Int. No. 1483) entitled "An act to amend chapter six hundred and thirty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Yonkers,' generally," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Yonkers.

The Senate returned the bill (No. 1697, Senate reprint No. 1381, Assembly reprint No. 2877, Int. No. 1061) entitled "An act to amend chapter five hundred and ninety-six of the Laws of eighteen hundred and ninety-eight, entitled 'An act to amend chapter one hundred and sixty-three of the Laws of eighteen hundred and seventy-three, entitled "An act to organize and establish a police department for the city of Yonkers,"' generally," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Yonkers.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 621, Int. No. 590) entitled "An act to authorize the police commissioner of the city of New York, in his discretion, to reopen the investigation of the legality of the appointment of Joseph Devlin as a member of the police department and force of the city of New York to make a rein-

vestigation of the same, and to reinstate or restore him as a roundsman in the police department and force of said city," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 553, Int. No. 186) entitled "An act to amend the Forest, Fish and Game Law in relation to nets in the Hudson and Delaware rivers and adjacent waters," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 2605, Int. No. 1823) entitled "An act to amend the Code of Civil Procedure, in relation to Richmond county," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication was received from Hon. James G. Cutler, mayor of the city of Rochester, returning Assembly bill (No. 2134, Int. No. 1467) entitled "An act to amend the Code of Civil Procedure, in relation to the Municipal Court of the city of Rochester," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Henry S. Clarke, mayor of the city of New Rochelle, returning Assembly bill (No. 2752, Int. No. 1365) entitled "An act creating a board of public works in the city of New Rochelle, prescribing its powers and duties, conferring upon such board the duties of the commissioners of sewers, abolishing the office of city engineer and increasing the duties of superintendent of streets," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Louis Frehermien, acting mayor of the city of Buffalo, returning Assembly bill (No. 1639, Int. No. 964) entitled "An act to amend chapter five hun-

dred and fifty-two of the Laws of eighteen hundred and seventy-five, entitled 'An act in relation to habitual drunkards, vagrants and prostitutes in the county of Erie,' to authorize commitments to the Salvation Army Rescue Home," with a message that said mayor of said city, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Green gives notice that at some future day he will move to suspend rules Nos. 5, 6, 9, 10, 11, 12, 13, 18, 19, 20, 21, 22, 23, 49 and 54 for the purpose of discharging any and all committees of this House from the further consideration of Assembly bill (No. 513, Int. No. 71) entitled "An act to amend chapter four hundred and seventy-three of the Laws of eighteen hundred and ninety-nine, entitled 'An act to amend chapter one hundred and seventy-nine of the general laws of eighteen hundred and ninety-eight, entitled "An act in relation to enrollment for political parties, primary election, conventions and political committees relative to the enrollment for and holding of primary elections," ' ' ' in relation to direct nominations, and to provide for the expense thereof in the year nineteen hundred and seven, and for the purpose of advancing out of its order and passing said bill.

Mr. Prentice: Mr. Speaker, there died in January of this year a man who had been a distinguished member of this House and who had become prominent in philanthropic work in this country and prominent as a writer. He was a member of the Assembly for three years, representing the old Twenty-first Assembly District of New York county, which before him had been represented by Theodore Roosevelt. He was for two years chairman of the committee on affairs of cities and he was one of the men influential in shaping legislation, whose name much of the prominent legislation in the Assembly during his three years bore, and he took a prominent part in all matters of importance before this House. He was afterward appointed by President Harrison judge of the International Court at Alexandria, Egypt, and served there for some years. He resigned to take up work as an author and the philanthropic work to which he devoted his life. His ideas were radical on many points. He was boldly for the single

tax; he was a strong anti-imperialist; he was known to most people as a socialist; but with great devotion and untiring effort he gave his life to bettering conditions, particularly the conditions of the poor, and often in very practical ways. And however much any one may have differed from his opinions, no one who has known him has anything but the very highest admiration and respect for his courageous unselfish and devoted life which he gave not for himself, nor for any selfish end, but devoted entirely to bettering the conditions of his fellowmen.

Mr. Prentice offered for the consideration of the House a resolution, in the words following:

Whereas, This Assembly has learned with deep sorrow of the death of the Honorable Ernest Howard Crosby, formerly a distinguished member of this House; be it

Resolved, That the Assembly place upon its records its tribute to the memory of a citizen of earnest purpose, high ideals and personal courage; who was a member of this House in the years 1887, 1888 and 1889, and who was twice chairman of its committee on affairs of cities; whose name was identified with legislation of great importance, who was selected by the President of the United States to be a member of the International Court at Alexandria, Egypt, and who surrendered the rewards of public office to enter with voice and pen upon the higher service of his fellowmen in the cause, as he saw it, of bettering social conditions, of industrial justice and right relationship between men and nations, continuing to the day of his death in earnest and unswerving loyalty to those ideals to which he had devoted his life; and be it further

Resolved, That as a mark of respect to the memory of Ernest Howard Crosby this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative by a unanimous rising vote.

FRIDAY, JUNE 7, 1907.

The House met pursuant to adjournment.

Prayer by Rev. Charles W. Heisler.

On motion of Mr. Moreland, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. Green gives notice that he requests that Assembly bill (No. 513, Int. No. 71) entitled "An act to amend chapter four hundred and seventy-three of the Laws of eighteen hundred and ninety-nine, entitled 'An act to amend chapter one hundred and seventy-nine of the general laws of eighteen hundred and ninety-eight, entitled "An act in relation to enrollment for political parties, primary elections, conventions and political committees," relative to the enrollment for and holding of primary elections,' in relation to direct nominations, and to provide for the expense thereof in the year nineteen hundred and seven," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Waddell gives notice that he requests that Assembly bill (No. 753, Int. No. 696) entitled "An act making appropriations for repairs, renewals and betterments for the several State prisons, the Matteawan State Hospital for Insane Criminals and the Dannemora State Hospital for Insane Convicts," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Mills gives notice that he requests that Assembly bill (No. 2767, Int. No. 1897) entitled "An act to amend the Forest, Fish and Game Law, relative to close season on grouse, woodcock and quail in Rensselaer county," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Eagleton gives notice that he requests that Assembly bill (No. 970, Int. No. 869) entitled "An act relating to the appoint-

ment of employees of the fire department of the city of New York to the uniformed force of the said department," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. McCue gives notice that he requests that Assembly bill (No. 2412, Int. No. 1718) entitled "An act to amend the Penal Code in relation to carrying concealed weapons," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Burns gives notice that he requests that Assembly bill (No. 2861, Int. No. 1953) entitled "An act to amend the Code of Civil Procedure, in relation to adjournments where an attorney is a member of the Legislature," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Merritt gives notice that he requests that the Senate bill (No. 1467, Rec. No. 297) entitled "An act to protect owners of securities of railroads or railways, having mortgages of record, by extending the corporate existence of those heretofore organized pursuant to and in conformity with the laws of the State of New York, and permitting the use of electric as well as steam power," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Merritt gives notice that he requests that the Senate bill (No. 1279, Rec. No. 490) entitled "An act to empower the State Water Supply Commission to inquire into the expediency of the State owning or controlling the water powers within its borders," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Speaker presented the following memorial from Hon. George B. McClellan, mayor of the city of New York:

(See Appendix No. 48.)

which was read and ordered laid upon the table.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Waddell (No. 753, Int. No. 696), entitled "An act making appropriations for repairs, renewals and betterments for the several State prisons, the Matteawan State Hospital for Insane Criminals and the Dannemora State Hospital for Insane Convicts."

Also, Assembly bill introduced by Mr. Green (No. 513, Int. No. 71), entitled "An act to amend chapter four hundred and seventy-three of the Laws of eighteen hundred and ninety-nine, entitled 'An act to amend chapter one hundred and seventy-nine of the general laws of eighteen hundred and ninety-eight, entitled "An act in relation to enrollment for political parties, primary elections, conventions and political committees," relative to the enrollment for and holding of primary elections,' in relation to direct nominations, and to provide for the expense thereof in the year nineteen hundred and seven."

Also, Assembly bill introduced by Mr. Eagleton (No. 970, Int. No. 869), entitled "An act relating to the appointment of employees of the fire department of the city of New York to the uniformed force of the said department."

Also, Assembly bill introduced by Mr. Mills (No. 2767, Int. No. 1897), entitled "An act to amend the Forest, Fish and Game Law, relative to close season on grouse, woodcock and quail in Rensselaer county," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. McCue (No. 2412, Int. No. 1718), entitled "An act to amend the Penal Code, in relation

to carrying concealed weapons," reported in favor of the passage of the same without amendment, and that the same be made a special order on third reading immediately, which report was agreed to, and said bill ordered made special order on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill introduced by Mr. Wemple (No. 1467, Rec. No. 397), entitled "An act to protect owners of securities of railroads or railways, having mortgages of record, by extending the corporate existence of those heretofore organized pursuant to and in conformity with the laws of the State of New York, and permitting the use of electric as well as steam power," reported in favor of the passage of the same, with the following amendments:

On page 1, line 4, strike out all of line except "property" and insert "of date".

On page 1, line 5, strike out "nineteen hundred and six" and insert "eighteen hundred and ninety-three".

On page 2, line 1, strike out "twenty" and insert "thirteen".

and that the same be reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after consideration of the special orders on third reading theretofore reported.

Which report was agreed to, and said bill ordered reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill introduced by Mr. Agnew (No. 1279, Rec. No. 490), entitled "An act to empower the State Water Supply Commission to inquire into the expediency of the State owning or controlling the water powers within its borders," reported in favor of the passage of the same, with the following amendments:

On page 1, line 7, strike out "development" and insert "utilization".

On page 1, line 7, strike out "and the gradual" and insert "now owned by the State".

On page 1, line 8, strike out "acquisition of the same by the state government".

On page 2, line 2, strike out "ten" and insert "twenty-five". and that the same be reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after consideration of the special orders on third reading theretofore reported.

Which report was agreed to, and said bill ordered reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Cuvillier (No. 2861, Int. No. 1953), entitled "An act to amend the Code of Civil Procedure, in relation to adjournments where an attorney is a member of the Legislature," reported the same with the following amendments:

Page 1, line 6, after the word "attorney" insert "and counselor-at-law".

Page 1, line 6, after the word "appear" insert "as the attorney of record".

and requests that said bill be reprinted, as amended, and recommitted to said committee.

Which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. West, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act making an appropriation to the Central New York Institution for Deaf Mutes at Rome, to enable it to extinguish its debt incurred for the support and education of its deaf and dumb pupils and for the paving of the street fronting its property." (No. 95, Int. No. 95.)

"An act to provide for the purchase of one certain lot of land situate in the city of Kingston, in the county of Ulster, lying on North Front street and adjoining the Senate House property, and making an appropriation therefor." (No. 827, Int. No. 762.)

"An act for the construction of a bridge across South Bay in Washington county and making an appropriation therefor." (No. 1742, Int. No. 1371.)

"An act to provide for the construction of a dam and reservoir on the Indian river in Lewis county, and making an appropriation therefor." (No. 1444, Int. No. 1199.)

Mr. Speaker announced the special order, being the Senate bill (No. 1194) entitled "An act to amend the Town Law, relating to the duties of the supervisors" (Rec. No. 342). Said bill having been announced for a second reading,

On motion of Mr. Moreland, and by unanimous consent, said bill was made a special order on second and third reading for Monday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 970) entitled "An act relating to the appointment of employees of the fire department of the city of New York to the uniformed force of the said department." (Int. No. 869.)

On motion of Mr. Eagleton, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Smith A E
Apgar	Draper	Hamilton	Miller	Smith Myron
Baldwin	Duell	Hammond	Mills	Staley
Baumann	Eagleton	Harawitz	Moreland	Stern
Blue	Eichhorn	Harris	Morgan	Stevenson
Bohan	Farrell	Hart	Murphy C F	Stratton
Brady	Ferguson	Hastings	Murphy G W	Todd
Brooks	Filley	Hoey	Northrup	Volk
Brough	Flanagan	Hooper	Norton	Waddell
Buckley	Foley C F	Hurd	Oliver	Wagner
Burhyte	Foley J A	Huth	Patton	Wainwright
Burns	Francis	Jackson	Phillips	Walters
Burzynski	Ganly	Keller	Prentice	Weber

Chamberlain	Garbe	Lee	Prince	Weimert
Cole	Geoghagan	Lewis	Ralston	Wells
Collins	Glore	Loos	Robinson	West
Conklin	Gluck	Lupton	Schmidt	Whitney G H
Croak	Goldberg	Maher	Schoeneck	Winters
Cunningham	Gray	Mance	Schwegler	Wood
Cuvillier	Gunderman	Matthews	Shuttleworth	Yale
Dobbs	Hackett	McCue	Sinclair	Young
Dominy				

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2767) entitled "An act to amend the Forest, Fish and Game Law, relative to close season on grouse, woodcock and quail in Rensselaer county." (Int. No. 1897.)

On motion of Mr. Mills, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Smith A E
Apgar	Draper	Hamilton	Miller	Smith Myron
Baldwin	Duell	Hammond	Mills	Staley
Baumann	Eagleton	Harawitz	Moreland	Stern
Blue	Eichhorn	Harris	Morgan	Stevenson
Bohan	Farrell	Hart	Murphy C F	Stratton
Brady	Ferguson	Hastings	Murphy G W	Todd
Brooks	Filley	Hoey	Northrup	Volk
Brough	Flanagan	Hooper	Norton	Waddell
Buckley	Foley C F	Hurd	Oliver	Wagner
Burhyte	Foley J A	Huth	Patton	Wainwright
Burns	Francis	Jackson	Phillips	Walters
Burzynski	Ganly	Keller	Prentice	Weber
Chamberlain	Garbe	Lee	Prince	Weimert
Cole	Geoghagan	Lewis	Ralston	Wells
Collins	Glore	Loos	Robinson	West
Conklin	Gluck	Lupton	Schmidt	Whitney G H
Croak	Goldberg	Maher	Schoeneck	Winters
Cunningham	Gray	Mance	Schwegler	Wood
Cuvillier	Gunderman	Matthews	Shuttleworth	Yale
Dobbs	Hackett	McCue	Sinclair	Young
Dominy				

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 753) entitled "An act making appropriations for repairs, renewals and betterments for the several State prisons, the Matteawan State Hospital for Insane Criminals and the Dannemora State Hospital for Insane Convicts." (Int. No. 696.)

On motion of Mr. Waddell, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Smith A E
Apgar	Draper	Hamilton	Miller	Smith Myron
Baldwin	Duell	Hammond	Mills	Staley
Baumann	Eagleton	Harawitz	Moreland	Stern
Blue	Eichhorn	Harris	Morgan	Stevenson
Bohan	Farrell	Hart	Murphy C F	Stratton
Brady	Ferguson	Hastings	Murphy G W	Todd
Brooks	Fillee	Hoey	Northrup	Volk
Brough	Flanagan	Hooper	Norton	Waddell
Buckley	Foley C F	Hurd	Oliver	Wagner
Burhyte	Foley J A	Huth	Patton	Wainwright
Burns	Francis	Jackson	Phillips	Walters
Burzynski	Ganly	Keller	Prentice	Weber
Chamberlain	Garbe	Lee	Prince	Weimert
Cole	Geoghagan	Lewis	Ralston	Wells
Collins	Glore	Loos	Robinson	West
Conklin	Gluck	Lupton	Schmidt	Whitney G H
Croak	Goldberg	Maher	Schoeneck	Winters
Cunningham	Gray	Mance	Schwegler	Wood
Cuvillier	Gunderman	Matthews	Shuttleworth	Yale
Dobbs	Hackett	McCue	Sinclair	Young
Dominy				

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Green moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Allen	Eagleton	Hammond	Miller	Smith C
Averill	Eggleston	Hamn	Mooney	Staley
Boshart	Eichhorn	Harper	Moreland	Stanton
Brooks	Fay	Harris	Morgan	Stern
Brough	Filley	Hart	Murphy C F	Stevenson
Brown	Flanagan	Holmes	Nevins	Stratton
Buckley	Foley C F	Hooper	Newton	Surpless
Burhyte	Foley J A	Hubbs	Northrup	Volk
Burzynski	Fowler	Hurd	O'Brian	Voss
Cavanaugh	Francis	Jackson	Oliver	Wagner
Chamberlain	Frisbie	Keller	Patton	Wainwright
Collins	Ganly	Lansing	Phillips	Walters
Colné	Garbe	Lee	Ralston	Waters
Conklin	Geoghagan	Lowe	Reece	Weber
Conrady	Glore	Lupton	Robinson	Weimert
Croak	Glynn	Maher	Rogers	Wells
Cuvillier	Goldberg	Mallon	Schoeneck	West
Dominy	Gray	Marlatt	Schwegler	Whitley
Donnelly	Green	McCue	Shuttleworth	Whitney F G
Draper	Hackett	Mead	Sinclair	Whitney G H
Dudley	Hamilton	Merritt	Smith A E	Winters
Duell				

Mr. Green moved that the call of the House be made a close call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the bill (No. 513) entitled "An act to amend chapter four hundred and seventy-three of the Laws of eighteen hundred and ninety-nine, entitled 'An act to amend chapter one hundred and seventy-nine of the general laws of eighteen hundred and ninety-eight, entitled "An act in relation to enrollment for political parties, primary elections conventions and political committees," relative to the enrollment for and holding of primary elections,' in relation to direct nominations and to provide for the expense thereof in the year nineteen hundred and seven" (Int. No. 71). Said bill having been announced for second reading, Mr. Ralston moved to amend by substituting therefor the following substitute bill:

See Appendix No. 47.)

Mr. Green moved to postpone action on said bill until Monday, June tenth.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the bill (No. 2412) entitled "An act to amend the Penal Code, in relation to carrying concealed weapons." (Int. No. 1718.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 103

NOES 2

Those who voted in the affirmative were:

Allen	Dominy	Hamilton	Miller	Smith A E
Apgar	Donnelly	Hammond	Mills	Smith Myron
Baldwin	Draper	Harawitz	Moreland	Staley
Baumann	Eagleton	Harris	Morgan	Stevenson
Blue	Eichhorn	Hart	Murphy C F	Stratton
Bohan	Farrell	Hastings	Murphy G W	Todd
Brady	Ferguson	Hoey	Northrup	Volk
Brooks	Filley	Hooper	Norton	Waddell
Brough	Flanagan	Hurd	Oliver	Wagner
Buckley	Foley C F	Huth	Patton	Wainwright
Burhyte	Foley J A	Jackson	Phillips	Walters
Burns	Francis	Keller	Prentice	Weber
Burzynski	Ganly	Lee	Prince	Weimert
Chamberlain	Garbe	Lewis	Ralston	Wells
Cole	Geoghagan	Loos	Robinson	West
Collins	Glore	Lupton	Schmidt	Whitney G H
Conklin	Gluck	Maher	Schoeneck	Winters
Croak	Goldberg	Mance	Schwegler	Wood
Cunningham	Gunderman	Matthews	Shuttleworth	Yale
Cuvillier	Hackett	McCue	Sinclair	Young
Dobbs	Haines	Merritt		

Those who voted in the negative were:

Duell Stern

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Moreland moved to reconsider the vote by which Assembly bill (No. 753, Int. No. 696) entitled "An act making appropriations for repairs, renewals and betterments for the several State prisons, the Matteawan State Hospital for Insane Criminals, and the Dannemora State Hospital for Insane Convicts," was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Smith A E
Apgar	Draper	Hamilton	Miller	Smith Myron
Baldwin	Duell	Hammond	Mills	Staley
Baumann	Eagleton	Harawitz	Moreland	Stern
Blue	Eichhorn	Harris	Morgan	Stevenson
Bohan	Farrell	Hart	Murphy C F	Stratton
Brady	Ferguson	Hastings	Murphy G W	Todd
Brooks	Filley	Hoey	Northrup	Volk
Brough	Flanagan	Hooper	Norton	Waddell
Buckley	Foley C F	Hurd	Oliver	Wagner
Burhyte	Foley J A	Huth	Patton	Wainwright
Burns	Francis	Jackson	Phillips	Walters
Burzynski	Ganly	Keller	Prentice	Weber
Chamberlain	Garbe	Lee	Prince	Weimert
Cole	Geoghagan	Lewis	Ralston	Wells
Collins	Glore	Loos	Robinson	West
Conklin	Gluck	Lupton	Schmidt	Whitney G F
Croak	Goldberg	Maher	Schoeneck	Winters
Cunningham	Gray	Mance	Schwegler	Wood
Cuvillier	Gunderman	Matthews	Shuttleworth	Yale
Dobbs	Hackett	McCue	Sinclair	Young
Dominy				

On motion of Mr. Moreland, and by unanimous consent, said bill was made a special order on third reading for Monday next, immediately after the reading of the journal.

The Senate returned the Assembly bill (No. 2353, Senate reprint No. 1837, Int. No. 1539) entitled "An act to amend the Labor Law, relative to children working in streets and public places in cities of the first or second class," with a message that they have concurred in the passage of the same, with the following amendments:

On page 2, line 12, strike out the brackets around the word "ten" and strike out the word "twelve".

On page 3, line 4, strike out the brackets around the word "ten" and strike out the word "twelve".

Page 6, line 14, strike out the word "June" and insert "October".

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

To the Legislature:

It appearing to my satisfaction that the public interest requires it:

Therefore, In accordance with the provisions of section 15 of article 3 of the Constitution and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Assembly bill (No. 2353, Senate reprint No. 1837) entitled "An act to amend the Labor Law, relative to children working in streets and public places in cities of the first or second class."

Given under my hand and the privy seal of the State, at the Capitol, in the city of Albany, this sixth day of June, in the year of our Lord one thousand nine hundred and seven.

(Signed) CHARLES E. HUGHES.

By the Governor,

ROBERT H. FULLER,

Secretary to the Governor.

Mr. Speaker put the question whether the House would concur in said amendments, the necessity for the immediate passage of the same having been certified by the Governor, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Smith A E
Apgar	Draper	Hamilton	Miller	Smith Myron
Baldwin	Duell	Hammond	Mills	Staley
Baumann	Eagleton	Harawitz	Moreland	Stern
Blue	Eichhorn	Harris	Morgan	Stevenson
Bohan	Farrell	Hart	Murphy C F	Stratton
Brady	Ferguson	Hastings	Murphy G W	Todd
Brooks	Filley	Hoey	Northrup	Volk
Brough	Flanagan	Hooper	Norton	Waddell
Buckley	Foley C F	Hurd	Oliver	Wagner
Burhyte	Foley J A	Huth	Patton	Wainwright
Burns	Francis	Jackson	Phillips	Walters
Burzynski	Ganly	Keller	Prentice	Weber
Chamberlain	Garbe	Lee	Prince	Weimert
Cole	Geoghagan	Lewis	Ralston	Wells

Collins	Glore	Loos	Robinson	West
Conklin	Gluck	Lupton	Schmidt	Whitney G H
Croak	Goldberg	Maher	Schoeneck	Winters
Cunningham	Gray	Mance	Schwegler	Wood
Cuvillier	Gunderman	Matthews	Shuttleworth	Yale
Dobbs	Hackett	McCue	Sinclair	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly had concurred in amendments of the Senate thereto.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, June 6, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 2605, Int. No. 1823) entitled "An act to amend the Code of Civil Procedure, in relation to Richmond county."

CHARLES E. HUGHES.

Said bill having been announced, Mr. Lee moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt]	Smith A E
Apgar	Draper	Hamilton	Miller	Smith Myron
Baldwin	Duell	Hammond	Mills	Staley
Baumann	Eagleton	Harawitz	Moreland	Stern
Blue	Eichhorn	Harris	Morgan	Stevenson
Bohan	Farrell	Hart	Murphy C F	Stratton
Brady	Ferguson	Hastings	Murphy G W	Todd
Brooks	Filley	Hoey	Northrup	Volk
Brough	Flanagan	Hooper	Norton	Waddell
Buckley	Foley C F	Hurd	Oliver	Wagner
Burhyte	Foley J A	Huth	Patton	Wainwright
Burns	Francis	Jackson	Phillips	Walters
Burzynski	Ganly	Keller	Prentice	Weber

Chamberlain	Garbe	Lee	Prince	Weimert
Cole	Geoghagan	Lewis	Ralston	Wells
Collins	Glore	Loos	Robinson	West
Conklin	Gluck	Lupton	Schmidt	Whitney G H
Croak	Goldberg	Maher	Schoeneck	Winters
Cunningham	Gray	Mance	Schwegler	Wood
Cuvillier	Gunderman	Matthews	Shuttleworth	Yale
Dobbs	Hackett	McCue	Sinclair	Young
Dominy				

Mr. Lee moved that said bill be recommitteed to the committee on codes, with instructions to report the same forthwith amended as follows:

In lines 10 and 11, page 2, strike out the words "or in the county of Richmond".

In line 13, page 2, strike out the words "counties of Queens and Richmond".

After the word "said" in line 13, page 2, strike out the brackets.

After the word "charge" in line 15, page 2, insert the following: "Each of said attendants, so appointed in the county of Richmond, shall receive a salary to be fixed by the justice or justices residing in Richmond county, or by a majority of them; such salary, so fixed, shall be subject to the approval of the board of estimate and apportionment of the city of New York in its discretion and shall be a county charge."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Phillips, from the committee on codes, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Rogers offered for the consideration of the House a resolution, in the words following:

Resolved, That at the session of this House on Monday evening, June 10, 1907, the business of the House be suspended for sufficient time to give opportunity to pay tribute to the memories of our late colleagues, Jean L. Burnett, of Ontario, Mervin C. Stanley, of New York, and William J. Donohue, of Kings, who have departed this life during the session of 1907.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Wainwright offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 1330, Int. No. 961) entitled "An act to amend chapter eight hundred and eighteen of the laws of eighteen hundred and sixty-eight, entitled 'An act to incorporate the village of Port Chester,' in relation to actions for damages arising from snow and ice upon sidewalks, crosswalks and streets in said village," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. F. G. Whitney offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 2652, Int. No. 836) entitled "An act to amend chapter sixty-three of the laws of nineteen hundred and two, entitled 'An act to incorporate the city of Fulton,' relating to limitation of actions against the city," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *June 7, 1907.*

Resolved (if the Assembly concur), That a respectful message be sent to the mayor of Cohoes, requesting the return of Senate bill (No. 1710, Rec. No. 476) entitled "An act to authorize the city of Cohoes to borrow money for the construction of a bridge over the first branch of the Mohawk river at Ontario street in said city," for the purpose of amendment.

By order of the Senate,

LAFAYETTE B. GLEASON,

Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill (No. 2598, reprint No. 2876, Int. No. 1818) entitled "An act authorizing the Marcellus and Otisco Lake Railway Company and Newark and Marion Railway Company to use locomotive steam power as a motive power," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the Assembly bill (No. 2353, Senate reprint No. 1837, Int. No. 1539) entitled "An act to amend the Labor Law, relative to children working in streets and public places in cities of the first or second class."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the Senate bill (No. 936, Assembly reprint No. 2772, Rec. No. 162) entitled "An act to amend an act entitled 'An act to provide for the acquiring of a site and the erection and furnishing of a new court house in the city of Utica for the use of the county of Oneida, and to provide means to defray the expense thereof and to sell the present court house and site, and the county clerk's office and site, situate in Utica,' as amended by chapter one hundred and thirty-two of the Laws of nineteen hundred and five," with a message that they have concurred in the amendments of the Assembly made thereto.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the concurrent resolution in relation to printing additional copies of Assembly bill (No. 2719, Int. No. 1083), with a message that they have concurred in the passage of the same, with the following amendment:

Strike out the words "seven thousand five hundred" and insert the words "five thousand."

Mr. Moreland moved to concur in the amendment of the Senate thereto.

Mr. Speaker put the question whether the House would concur in said amendment, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 105
NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Haines	Merritt	Smith A E
Apgar	Donnelly	Hamilton	Miller	Smith Myron
Baldwin	Draper	Hammond	Mills	Staley
Baumann	Duell	Harawitz	Moreland	Stern
Blue	Eagleton	Harris	Morgan	Stevenson
Bohan	Eichhorn	Hart	Murphy C F	Stratton
Brady	Farrell	Hastings	Murphy G W	Todd
Brooks	Ferguson	Hoey	Northrup	Volk
Brough	Filley	Hooper	Norton	Waddell
Buckley	Flanagan	Hurd	Oliver	Wagner
Burhyte	Foley C F	Huth	Patton	Wainwright
Burns	Foley J A	Jackson	Phillips	Walters
Burzynski	Francis	Keller	Prentice	Weber
Chamberlain	Ganly	Lee	Prince	Weimert
Cole	Garbe	Lewis	Ralston	Wells
Collins	Geoghagan	Loos	Robinson	West
Conklin	Glore	Lupton	Schmidt	Whitney G H
Croak	Gluck	Maher	Schoeneck	Winters
Cunningham	Goldberg	Mance	Schwegler	Wood
Cuvillier	Gunderman	Matthews	Shuttleworth	Yale
Dobbs	Hackett	McCue	Sinclair	Young

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes fo amendment, Assembly bill (No. 2652, Int. No. 836) entitled "An act to amend chapter sixty-three of the Laws of nineteen hundred and two, entitled 'An act to incorporate the city of Fulton,' relating to limitation of actions against the city," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, April 11, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 607, reprint No. 1045, Int. No. 577) entitled "An act to amend chapter

seven hundred and four of the laws of nineteen hundred and one as amended by chapter five hundred and sixty-six, entitled 'An act to make the office of clerk of the county of Kings a salaried office and regulating the management of said office.' "

CHARLES E. HUGHES.

On motion of Mr. Moreland, the House adjourned until Saturday, June 8, at 10 o'clock a. m.

SATURDAY, JUNE 8, 1907.

The House met pursuant to adjournment.

Prayer by Rev. Charles W. Heisler.

On motion of Mr. Rogers, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. Speaker presented a memorial from Clarence J. Shearn, which was ordered laid upon the table.

By unanimous consent, Mr. A. E. Smith introduced a bill entitled "An act authorizing the police commissioner of the city of New York to rehear the charges upon which John C. McGee, formerly a patrolman in the police department of the said city, was dismissed from said department in the year nineteen hundred and two, and to reinstate him in the position formerly held by him" (Int. No. 1969), which was read the first time and referred to the committee on affairs of cities.

Mr. Phillips: I desire to be informed by the desk what became of the resolution adopted by the Assembly for adjournment.

Mr. Speaker: Sent to the Senate for concurrence.

Mr. Phillips: When was it sent to the Senate.

Mr. Speaker: April twenty-second.

Mr. Phillips: And what is the date fixed?

Mr. Speaker: May ninth.

Mr. Phillips: Now, Mr. Speaker, a question of privilege.

Mr. Speaker: The gentleman will state the question.

Mr. Phillips: I find that at least one paper, or some of the papers, this morning state that the Assembly is holding up the

Legislature and preventing adjournment at the cost to the State of two thousand dollars per day. I desire to call attention to the fact that this Assembly on the twenty-second day of April transmitted to the Senate a resolution for adjournment of the Legislature on May ninth. That resolution is still with the Senate.

I desire also to call attention to the fact that on the twenty-eighth day of March this Assembly passed the Recount bill. That bill was delivered to the Senate on the twenty-ninth day of March; and was not returned from the Senate until the twenty-eighth day of May.

I desire also to call attention to the fact that on the fifteenth day of May the Assembly passed the Public Utilities bill which was transmitted to the Senate the same day.

And further attention to the fact, which is conceded, that up to that time the Assembly rules committee and the Assembly railroads committee did most of the work in connection with the Assembly Public Utilities bill, which is one of the most important pieces of legislation which we have had to deal with this winter. That up to that time the entire work or nearly the whole work connected with that bill was done by a committee from the Assembly, and yet that bill was sent to the Senate on the fifteenth day of May, and the Senate has been unable to return to us the resolution for adjournment which was sent to them on the twenty-fifth day of April.

I desire simply to call attention to this fact, for the reason that the Assembly has not prevented the adjournment of the Legislature, that it has been ready to adjourn for the last month, and that if the Senate had performed its duty and had passed these bills, which were of important public interest we undoubtedly could have adjourned at least by the middle of May.

And now, on the question of reapportionment, nothing was done by the Senate, no plan was submitted until Monday night; on Tuesday morning immediately they went into caucus; on Tuesday afternoon a plan which this branch of the Legislature knew nothing about—and yet in view of these facts, that the Senate has been responsible for the delay in adjourning for at

least a month, and yet we are accused of delaying adjournment at an expense of two thousand dollars per day to the State.

It seems to me that in view of these facts that this cannot be charged to the Assembly. (Applause.)

On motion of Mr. Rogers, the House adjourned.

MONDAY, JUNE 10, 1907.

The House met pursuant to adjournment.

Prayer by Rev. G. A. Bierdemann, Utica.

On motion of Mr. Moreland, the reading of the journal of Saturday, June 8, 1907, was dispensed with, and the same was approved.

Mr. Conklin gives notice that he requests that Senate bill (No. 1556, Rec. No. 451) entitled "An act to amend section eight hundred and fifty-six of the Code of Civil Procedure with respect to punishment for contempt," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Rogers gives notice that he requests that Assembly bill (No. 2883, Int. No. 1965) entitled "An act to amend chapter one hundred and twenty-three of the Laws of nineteen hundred and six, entitled 'An act providing for the election of directors in mutual life insurance corporations,' relative to biennial elections," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Winters gives notice that he requests that Assembly bill (No. 1997, Senate reprint No. 7809, Int. No. 33) entitled "An act to amend the Code of Criminal Procedure, in relation to what persons are vagrants," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to

the committee on rules for the purpose of making the said bill a special order on third reading.

By unanimous consent, Mr. Cuvillier introduced a bill entitled "An act to repeal chapter two hundred and thirty-eight of the Laws of eighteen hundred and twenty-three, entitled 'An act to incorporate the president, managers and company of the Delaware and Hudson Canal Company,' and the acts amendatory thereof" (Int. No. 1970), which was read the first time and referred to the committee on canals.

By unanimous consent, Mr. Shuttleworth introduced a bill entitled "An act to amend chapter one hundred and fifteen of the Laws of eighteen hundred and ninety-eight, entitled 'An act to provide for the improvement of the public highways,' as amended by chapter four hundred and sixty-eight of the Laws of nineteen hundred and six" (Int. No. 1971), which was read the first time and referred to the committee on internal affairs.

By unanimous consent, Mr. Ralston introduced a bill entitled "An act to amend chapter five hundred and sixty-eight of the Laws of eighteen hundred and ninety, entitled 'An act in relation to highways, constituting chapter nineteen of the general laws'" (Int. No. 1972), which was read the first time and referred to committee on internal affairs.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Winters (No. 1997, Senate reprint No. 1809, Int. No. 33), entitled "An act to amend the Code of Criminal Procedure, in relation to what persons are vagrants," reported in favor of the passage of the same without amendment, and that the same be made a special order on third reading immediately, which report was agreed to, and said bill ordered made special order on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Rogers (No. 2883, Int. No. 1965) entitled "An act to amend chapter one hundred and twenty-three of the Laws of nineteen hundred and six, entitled 'An act providing for the election of directors in mutual life insurance corporations,' relative to biennial elections," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third

reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bill ordered made special order on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Page (No. 1556, Assembly reprint No. 2888, Rec. No. 451), entitled "An act to amend section eight hundred and fifty-six of the Code of Civil Procedure with respect to punishment for contempt," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bill ordered made special order on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. West, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Forest, Fish and Game Law, relative to close season on grouse, woodcock and quail in Rensselaer county." (No. 2767, Int. No. 1897.)

"An act to amend the Penal Code, in relation to carrying concealed weapons." (No. 2412, Int. No. 1718.)

"An act relating to the appointment of employees of the fire department of the city of New York to the uniformed force of the said department." (No. 970, Int. No. 869.)

Mr. Speaker announced the special order, being the Senate bill (No. 1194) entitled "An act to amend the Town Law, relating to the duties of supervisors" (No. 342). Said bill having been announced for a second reading,

On motion of Mr. Hammond, said bill was recommitted to the committee on rules, retaining its place on the order of second reading.

Mr. Speaker announced the special order, being the Senate bill (No. 1832, Assembly reprint No. 2892) entitled "An act to organize the Senate districts and for the apportionment of the members of Assembly of this State." (Rec. No. 500.)

On motion of Mr. Phillips, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 3

Those who voted in the affirmative were:

Allen	Dobbs	Haines	Matthews	Shuttleworth
Apgar	Dominy	Hamilton	McCue	Sinclair
Baldwin	Dowling	Hammond	Mead	Smith A E
Baumann	Draper	Harawitz	Merritt	Smith C
Blue	Dudley	Harper	Miller	Smith Myron
Bohan	Duell	Harris	Mills	Staley
Boshart	Eagleton	Hart	Mooney	Stern
Brady	Eichhorn	Hastings	Murphy C F	Stevenson
Brooks	Farrell	Hoey	Murphy G W	Stratton
Brough	Ferguson	Holmes	Nevins	Surpless
Brown	Feth	Hooper	Newton	Todd
Buckley	Filley	Hubbs	Northrup	Volk
Burhyte	Flanagan	Hurd	Norton	Waddell
Burns	Foley C F	Huth	O'Brian	Wagner
Burzynski	Foley J A	Jackson	Oliver	Wainwright
Cavanaugh	Fowler	Jacobs	Patton	Walters
Chamberlain	Francis	Keller	Phillips	Waters
Cole	Ganly	Lansing	Prentice	Weber
Collins	Garbe	Lee	Ralston	Wells
Colné	Glore	Lewis	Reece	Whitley
Conklin	Gluck	Lowe	Rogers	Whitney F G
Conrady	Glynn	Lupton	Schmidt	Whitney G H
Croak	Goldberg	Maher	Schoeneck	Winters
Cunningham	Gray	Mallon	Schulz	Wood
Cuvillier	Green	Mance	Sheridan	Young
De Groot	Hackett	Marlatt		

Those who voted in the negative were:

Geoghagan Gunderman Moreland

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the bill (No. 753) entitled "An act making appropriations for repairs, renewals and betterments for the several State prisons, the Mattea-

wan State Hospital for Insane Criminals and the Dannemora State Hospital for Insane Convicts" (Int. No. 696). Said bill having been announced for a second reading,

On motion of Mr. Moreland, and by unanimous consent, said bill was made a special order on second and third reading for Tuesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 513) entitled "An act to amend chapter four hundred and seventy-three of the Laws of eighteen hundred and ninety-nine, entitled 'An act to amend chapter one hundred and seventy-nine of the general laws of eighteen hundred and ninety-eight, entitled "An act in relation to enrollment for political parties, primary elections, conventions and political committees," relative to the enrollment for and holding of primary elections,' in relation to direct nominations, and to provide for the expense thereof in the year nineteen hundred and seven" (Int. No. 71). Said bill having been announced for a second reading,

On motion of Mr. Green, and by unanimous consent, said bill was made a special order on second and third reading for Tuesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 2891) entitled "An act to amend the Election Law in relation to the publicity of contributions to and expenditures of campaign funds" (Int. No. 1668). Said bill having been announced for a second reading,

On motion of Mr. Wainwright, said bill was recommitted to the committee on rules, retaining its place on the order of second reading.

Mr. Speaker announced the special order, being the bill (No. 2883) entitled "An act to amend chapter one hundred and twenty-three of the Laws of nineteen hundred and six, entitled 'An act providing for the election of directors in mutual life insurance corporations,' relative to biennial elections." (Int. No. 1965.)

On motion of Mr. Rogers, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Mead	Smith A E
Blue	Duell	Harawitz	Merritt	Smith C
Bohan	Eagleton	Harper	Miller	Smith Myron
Boshart	Eichhorn	Harris	Mills	Staley
Brady	Farrell	Hart	Mooney	Stern
Brooks	Ferguson	Hastings	Moreland	Stevenson
Brough	Feth	Hoey	Murphy C F	Stratton
Brown	Filley	Holmes	Murphy G W	Surples
Buckley	Flanagan	Hooper	Nevins	Todd
Burhyte	Foley C F	Hubbs	Newton	Volk
Burns	Foley J A	Hurd	Northrup	Waddell
Burzynski	Fowler	Huth	Norton	Wagner
Cavanaugh	Francis	Jackson	O'Brian	Wainwright
Chamberlain	Ganly	Jacobs	Oliver	Walters
Cole	Garbe	Keller	Patton	Waters
Collins	Geoghagan	Lansing	Phillips	Weber
Colné	Glore	Lee	Prentice	Wells
Conklin	Gluck	Lewis	Ralston	Whitley
Conrady	Glynn	Lowe	Reece	Whitney F G
Croak	Goldberg	Lupton	Rogers	Whitney G H
Cunningham	Gray	Maher	Schmidt	Winters
Cuvillier	Green	Mallon	Schoeneck	Wood
De Groot	Gunderman	Mance	Schulz	Young
Dobbs				

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2881) entitled "An act to amend the Insurance Law, relating to the certificate of authority of agents and to the election of directors." (Int. No. 1640.)

On motion of Mr. Rogers, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Mead	Smith A E
Blue	Duell	Harawitz	Merritt	Smith C
Bohan	Eagleton	Harper	Miller	Smith Myron
Boshart	Eichhorn	Harris	Mills	Staley
Brady	Farrell	Hart	Mooney	Stern
Brooks	Ferguson	Hastings	Moreland	Stevenson
Brough	Feth	Hoey	Murphy C F	Stratton
Brown	Filley	Holmes	Murphy G W	Surpless
Buckley	Flanagan	Hooper	Nevins	Todd
Burhyte	Foley C F	Hubbs	Newton	Volk
Burns	Foley J A	Hurd	Northrup	Waddell
Burzynski	Fowler	Huth	Norton	Wagner
Cavanaugh	Francis	Jackson	O'Brian	Wainwright
Chamberlain	Garly	Jacobs	Oliver	Walters
Cole	Garbe	Keller	Patton	Waters
Collins	Geoghagan	Lansing	Phillips	Weber
Colne	Glore	Lee	Prentice	Wells
Conklin	Gluck	Lewis	Ralston	Whitley
Conrady	Glynn	Lowe	Reece	Whitney F G
Croak	Goldberg	Lupton	Rogers	Whitney G H
Cunningham	Gray	Maher	Schmidt	Winters
Cuvillier	Green	Mallon	Schoeneck	Wood
De Groot	Gunderman	Mance	Schulz	Young
Dobbs				

Mr. Speaker announced the special order, being the Senate bill (No. 1556, Assembly reprint No. 2888) entitled "An act to amend section eight hundred and fifty-six of the Code of Civil Procedure with respect to punishment for contempt." (Rec. No. 451.)

Said bill having been announced for second reading, Mr. Oliver moved to amend as follows:

On page 2, line 7, strike out the word "must" and insert in place thereof the word "may".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

On motion of Mr. Prentice, said bill was then read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and

upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 65

NOES 30

Those who voted in the affirmative were:

Allen	De Groot	Hamilton	Miller	Shuttleworth
Averill	Dominy	Hammond	Moreland	Smith C
Baldwin	Draper	Hamn	Morgan	Staley
Blue	Dudley	Harris	Nevins	Stanton
Boshart	Eichhorn	Hart	Newton	Surpless
Brady	Ferguson	Hubbs	Oliver	Todd
Brough	Filley	Hurd	Patton	Wainwright
Brown	Fowler	Lansing	Phillips	Waters
Burhyte	Francis	Lupton	Prentice	Wells
Chamberlain	Gray	Maher	Ralston	Whitney F G
Cole	Green	Marlatt	Reece	Whitney G H
Colne	Gunderman	Matthews	Rogers	Winters
Conklin	Haines	Merritt	Schoeneck	Young

Those who voted in the negative were:

Baumann	Dobbs	Foley J A	Harawitz	Northrup
Bohan	Donnelly	Ganly	Harper	Schmidt
Buckley	Eagleton	Garbe	Hoey	Schwegler
Burns	Farrell	Geoghagan	Huth	Smith A E
Croak	Fay	Glynn	Keller	Wagner
Cuvillier	Foley C F	Hackett	Loos	Walters

Mr. Oliver moved to reconsider the vote by which said bill was lost, and on that motion moved the previous question.

Mr. Speaker put the question whether the House would agree to said motion for the previous question, and it was determined in the negative

Mr. Conklin moved to lay said motion of Mr. Oliver, to reconsider the vote by which said bill was lost, upon the table.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the bill (No. 2885) entitled "An act to amend the Forest, Fish and Game Law, relative to licenses" (Int. No. 244), said bill having been announced for a second reading,

On motion of Mr. Merritt, said bill was recommitted to the committee on rules, retaining its place on the order of second reading.

Mr. Speaker announced the special order, being the bill (No. 2884) entitled "An act to amend the Greater New York charter, relative to the appointment of teachers in the public schools." (Int. No. 1615.)

On motion of Mr. Croak, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Mead	Smith A E
Blue	Duell	Harawitz	Merritt	Smith C
Bohan	Eagleton	Harper	Miller	Smith Myron
Boshart	Eichhorn	Harris	Mills	Staley
Brady	Farrell	Hart	Mooney	Stern
Brooks	Ferguson	Hastings	Moreland	Stevenson
Brough	Feth	Hoey	Murphy C F	Stratton
Brown	Filley	Holmes	Murphy G W	Surpless
Buckley	Flanagan	Hooper	Nevins	Todd
Burhyte	Foley C F	Hubbs	Newton	Volk
Burns	Foley J A	Hurd	Northrup	Waddell
Burzynski	Fowler	Huth	Norton	Wagner
Cavanaugh	Francis	Jackson	O'Brian	Wainwright
Chamberlain	Ganly	Jacobs	Oliver	Walters
Cole	Garbe	Keller	Patton	Waters
Collins	Geoghagan	Lansing	Phillips	Weber
Colné	Glore	Lee	Prentice	Wells
Conklin	Gluck	Lewis	Ralston	Whitley
Conrady	Glynn	Lowe	Reece	Whitney F G
Croak	Goldberg	Lupton	Rogers	Whitney G H
Cunningham	Gray	Maher	Schmidt	Winters
Cuvillier	Green	Mallon	Schoeneck	Wood
De Groot	Gunderman	Mance	Schulz	Young
Dobbs				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the

final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the bill (No. 1997, Senate reprint No. 1809) entitled "An act to amend the Code of Criminal Procedure, in relation to what persons are vagrants." (Int. No. 33.) Said bill having been announced for a second reading,

On motion of Mr. Winters, and by unanimous consent, said bill was made a special order on second and third reading for Tuesday next, immediately after the reading of the journal.

A message from the Governor, by the hand of his secretary, was received and read, in words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, June 8, 1907.

To the Assembly:

I return herewith, without my approval, Assembly bill (No. 1727, Senate reprint No. 1413) entitled "An act to amend the Greater New York charter, relating to the office of coroner".

This bill amends the law so as to increase the number of coroners' physicians in Brooklyn. If the law is to be amended at all it should provide that the number of coroners' physicians within the Greater New York should be fixed by the local authorities

CHARLES E. HUGHES.

On motion of Mr. Weber, said message, together with said bill, was ordered laid upon the table.

A communication was received from Hon. Patrick F. McGowan, acting mayor of the city of New York, returning Assembly bill (No. 1729, Int. No. 46), entitled "An act to provide for a judicial recount and recanvass of the votes cast for the office of mayor at the election of the seventh of November, nineteen hundred and five, in all cities of the first class in which the ballots have been preserved" with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

Mr. Speaker stated the question to be, "Shall this bill pass, notwithstanding the objections of the mayor of the city of New York thereto?" and it was determined in the affirmative, a ma-

jority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

AYES 82

NOES 17

Those who voted in the affirmative were:

Allen	Draper	Harawitz	Miller	Sinclair
Averill	Dudley	Harper	Morgan	Smith A E
Baldwin	Eichhorn	Harris	Murphy C F	Smith C
Bohan	Ferguson	Hoey	Nevins	Stanton
Boshart	Filley	Holmes	Newton	Stern
Brady	Foley C F	Hubbs	Northrup	Surpless
Brough	Francis	Hurd	Oliver	Todd
Brown	Frisbie	Huth	Patton	Voss
Burhyte	Ganly	Lansing	Phillips	Wagner
Burns	Glynn	Loos	Prentice	Walters
Chamberlain	Gray	Lowe	Ralston	Waters
Cole	Green	Lupton	Reece	Weber
Colné	Gunderman	Maher	Robinson	Wells
Conklin	Hackett	Matthews	Rogers	Whitney G H
Conrady	Haines	Mead	Schmidt	Winters
De Groot	Hamilton	Merritt	Shuttleworth	Young
Dominy	Hamn			

Those who voted in the negative were:

Baumann	Dobbs	Fay	Hammond	Schoeneck
Buckley	Donnelly	Fowler	Keller	Schwegler
Croak	Eagleton	Geoghagan	McCue	Yale
Cuvillier	Farrell			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Schoeneck moved to reconsider the vote by which Assembly bill (No. 2881 Int. No. 1640) entitled "An act to amend the Insurance Law, relating to the certificate of authority of agents and to the election of directors."

On motion of Mr. Rogers, and by unanimous consent, the consideration of said motion was made a special order for Tuesday next, immediately after the reading of the journal.

Mr. C. F. Murphy offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1885, Int. No. 1472) entitled "An act to change the name of the 'Bushwick Avenue Methodist Episcopal

church, to the 'Bushwick Avenue-Central Methodist Episcopal church,' " for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Foley offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 2297, Int. No. 1672) entitled "An act authorizing the city of Lockport to issue bonds, for the purpose of acquiring real property for a site for a public market and constructing the same," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the Senate bill (No. 1832, Assembly reprint No. 2892, Rec. No. 500), entitled "An act to organize the Senate districts and the apportionment of the members of the Assembly of the State," with a message that they have non-concurred in the amendments of the Assembly thereto and request the appointment of a committee of conference thereon.

On motion of Mr. Moreland, the request of the Senate for a committee of conference was agreed to.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the request for a committee of conference, and that the Speaker has appointed Messrs. Phillips, Merritt, Hammond, Prentice and Oliver as such committee on the part of the Assembly.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *June 7, 1907.*

Whereas, There is a necessity for uniform laws for the protection of both food and game fish in waters on the boundary between the State of New York and the Dominion of Canada and the State of Vermont; and

Whereas, Negotiations are now being conducted between the United States government and the Dominion of Canada seeking among other things to accomplish this result, and

Whereas, Requests have been received by the forest, fish and game department of this state for a conference between the states of New York and Vermont and the corresponding departments of the provinces of Quebec and Ontario for the purpose of reaching an agreement as to the necessary changes in the statutes of the several states and provinces in order to secure uniformity.

Resolved (if the Assembly concur), That the Temporary President appoint three members of the Senate, and the Speaker of the Assembly three members of the Assembly as a joint committee of the Legislature and that said joint committee, together with the forest, fish and game commissioner, are authorized to negotiate with the authorities of the state of Vermont and of the provinces of Quebec and Ontario with a view to securing the adoption by the several governments of uniform laws in relation to food and game fish in the boundary waters, and they are authorized to arrange for a meeting of the authorities from Vermont and the provinces in the city of Albany, or they are authorized to sit after the adjournment of the Legislature outside of the city of Albany, and the sum of one thousand five hundred dollars (\$1,500) or so much thereof as is necessary, is hereby appropriated out of the legislative contingent fund for the necessary expenses incurred for the accomplishment of the purpose of this resolution, and they shall report to the Legislature of 1908 on or before February 20th.

By order of the Senate,

LAFAYETTE B. GLEASON,
Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Mead	Smith A E
Blue	Duell	Harawitz	Merritt	Smith C

Bohan	Eagleton	Harper	Miller	Smith Myron
Boshart	Eichhorn	Harris	Mills	Staley
Brady	Farrell	Hart	Mooney	Stern
Brooks	Ferguson	Hastings	Moreland	Stevenson
Brough	Feth	Hoey	Murphy C F	Stratton
Brown	Filley	Holmes	Murphy G W	Surplless
Buckley	Flanagan	Hooper	Nevins	Todd
Burhyte	Foley C F	Hubbs	Newton	Volk
Burns	Foley J A	Hurd	Northrup	Waddell
Burzynski	Fowler	Huth	Norton	Wagner
Cavanaugh	Francis	Jackson	O'Brian	Wainwright
Chamberlain	Ganly	Jacobs	Oliver	Walters
Cole	Garbe	Keller	Patton	Waters
Collins	Geoghagan	Lansing	Phillips	Weber
Colné	Glore	Lee	Prentice	Wells
Conklin	Gluck	Lewis	Ralston	Whitley
Conrady	Glynn	Lowe	Reece	Whitney F G
Croak	Goldberg	Lupton	Rogers	Whitney G H
Cunningham	Gray	Maher	Schmidt	Winters
Cuvillier	Green	Mallon	Schoeneck	Wood
De Groot	Gunderman	Mance	Schulz	Young
Dobbs				

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *June 10, 1907.*

Resolved (if the Assembly concur), That a respectful message be sent to the mayor of the city of New York, requesting the return of Senate bill (No. 837, Assembly reprint No. 2802, Rec. No. 225) entitled "An act to amend the Greater New York charter, in relation to inferior courts of criminal jurisdiction," for the purpose of amendment.

By order of the Senate,

LAFAYETTE B. GLEASON,

Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,
ALBANY, April 19, 1907.*To the Assembly:*

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1330, Int. No. 961) entitled "An act to amend chapter eight hundred and eighteen of the laws of eighteen hundred and sixty-eight, entitled 'An act to incorporate the village of Port Chester,' in relation to actions for damages arising from snow and ice upon sidewalks, crosswalks and streets in said village."

CHARLES E. HUGHES.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,
ALBANY, June 10, 1907.*To the Assembly:*

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 2297, Int. No. 1672) entitled "An act authorizing the city of Lockport to issue bonds, for the purpose of acquiring real property for a site for a public market and constructing the same."

CHARLES E. HUGHES.

Said bill having been announced, Mr. C. F. Foley moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Mead	Smith A E
Blue	Duell	Harawitz	Merritt	Smith C

Bohan	Eagleton	Harper	Miller	Smith Myron
Boshart	Eichhorn	Harris	Mills	Staley
Brady	Farrell	Hart	Mooney	Stern
Brooks	Ferguson	Hastings	Moreland	Stevenson
Brough	Feth	Hoey	Murphy C F	Stratton
Brown	Filley	Holmes	Murphy G W	Surpluss
Buckley	Flanagan	Hooper	Nevins	Todd
Burhyte	Foley C F	Hubbs	Newton	Volk
Burns	Foley J A	Hurd	Northrup	Waddell
Burzynski	Fowler	Huth	Norton	Wagner
Cavanaugh	Francis	Jackson	O'Brian	Wainwright
Chamberlain	Ganly	Jacobs	Oliver	Walters
Cole	Garbe	Keller	Patton	Waters
Collins	Geoghagan	Lansing	Phillips	Weber
Colne	Glore	Lee	Prentice	Wells
Conklin	Gluck	Lewis	Ralston	Whitley
Conrady	Glynn	Lowe	Reece	Whitney F G
Croak	Goldberg	Lupton	Rogers	Whitney G H
Cunningham	Gray	Maher	Schmidt	Winters
Cuvillier	Green	Mallon	Schoeneck	Wood
De Groot	Gunderman	Mance	Schulz	Young
Dobbs				

Mr. C. F. Foley moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 1, line 1, after the number 1, insert "There shall be submitted to the qualified electors of the city of Lockport, at an annual election to be held in and for said city, upon the adoption of a resolution to that effect by the common council of said city, the question 'Shall the city of Lockport purchase what is known as the Stainthorpe public market site and issue its bonds therefor and for the construction of a public market thereon?' if a majority of all the votes cast thereon at such election shall be in the affirmative."

Page 1, line 1, commence the first word "the" with a small letter.

Page 2, strike out all of line 4, after the word "law" and all of lines 5 to 12, both inclusive, and all of line 13 to and including the word "maturity".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Dowling, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate returned the bill (No. 2756, Int. No. 1678) entitled "An act to amend the Executive Law, relative to the examination of departments of the State."

Also, the bill (No. 2436, Int. No. 1518) entitled "An act to amend the Election Law, relative to form of ballots and canvass of the vote on voting machines," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the Senate bill (No. 1832, Assembly reprint No. 2892, Rec. No. 500) entitled "An act to organize the Senate districts and the apportionment of the members of Assembly of this State," with a message that the President had appointed Messrs. Tully, Smith and McCarren as such committee on the part of the Senate.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the Assembly bill (No. 2887, Int. No. 710) entitled "An act making appropriations for the support of government," with a message that they have agreed to the report of the conference committee thereon, and, as amended, have again passed the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 2297, Int. No. 1672) entitled "An act authorizing the city of Lockport to issue bonds, for the purpose of acquiring real property for a site for a public market and constructing the same," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1885, Int. No. 1472) entitled "An act to change the name of the 'Bushwick Avenue Methodist Episcopal Church' to the 'Bushwick Avenue-Central Methodist Episcopal Church,' " with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 1330, Int. No. 961) entitled "An act to amend chapter eight hundred and eighteen of the

Laws of eighteen hundred and sixty-eight, entitled 'An act to incorporate the village of Port Chester,' in relation to actions for damages arising from snow and ice upon sidewalks, crosswalks and streets in said village," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, June 11, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1885, Int. No. 1472) entitled "An act to change the name of the 'Bushwick Avenue Methodist Episcopal Church' to the 'Bushwick Avenue-Central Methodist Episcopal Church'".

CHARLES E. HUGHES.

A communication was received from Hon. Alan C. Föbes, mayor of the city of Syracuse, returning Assembly bill (No. 2754, Int. No. 837) entitled "An act to provide for a department of public instruction in the city of Syracuse," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Alan C. Fobes, mayor of the city of Syracuse, returning Assembly bill (No. 2001, Int. No. 1339) entitled "An act to amend chapter six hundred and eighty-four of the Laws of nineteen hundred and five, entitled 'An act to supplement the provisions of law relating to the department of public works of the city of Syracuse,'" with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Alan C. Fobes, mayor of the city of Syracuse, returning Assembly bill (No. 2642, Int. No. 1802) entitled "An act to amend chapter twenty-

six of the Laws of eighteen hundred and eighty-five, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,' relative to city and ward boundaries," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 2684, Int. No. 1680) entitled "An act to amend the Greater New York charter, relating to engineers," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Privileges of the floor were extended to Hon. F. F. Costello, J. C. Mason, F. K. D. Smith.

Messrs. Parker of Genesee, Eggleston of Orleans, West of Yates, Weimert of Erie, were excused until Tuesday next.

On motion of Mr. Moreland, the House adjourned.

TUESDAY, JUNE 11, 1907.

The House met pursuant to adjournment.

Prayer by Rev. Charles W. Heisler.

On motion of Mr. Moreland, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. Weimert gives notice that he requests that Assembly bill (No. 2508, Int. No. 1770) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of George W. Maltby against the State of New York, and to render judgment therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Volk gives notice that he requests that Assembly bill (No. 1395, Int. No. 1155) entitled "An act to authorize the building

of a dike or dikes for the protection of property adjacent to the Allegany river in the city of Olean, and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Cuvillier gives notice that he requests that Senate bill (No. 1793, Rec. No. 497) entitled "An act to amend the Code of Civil Procedure in relation to deposits of legacies to unknown persons," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. O'Brian gives notice that he requests that the Senate bill (No. 1723, Rec. No. 486) entitled "An act authorizing and directing the State Water Supply Commission to devise plans for the progressive development of the water powers of the State, for the public use, under State ownership and control, and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Hubbs gives notice that he requests that the Senate bill (No. 701, Rec. No. 272) entitled "An act to provide for the taxation for school purposes of the lands owned by the State and situate within the boundaries of school district number five of the town of Smithtown, Suffolk county," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Burns gives notice that he requests that the Senate bill (No. 975, Rec. No. 492) entitled "An act to amend sections sixty and sixty-one of chapter five hundred and sixty-six, Laws of eighteen hundred and ninety, known as 'The Transportation Corporations Law,' as amended," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Surpluss gives notice that he requests that the Senate bill (No. 1298, Rec. No. 281) entitled "An act to amend the Greater New York charter, relative to the department of corrections and the institutions under the jurisdiction of the commissioner, and to transfer the jail buildings in Kings county from the control of the custody of the sheriff to the commissioner of correction," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Rogers gives notice that he requests that the Senate bill (No. 1803, Rec. No. 498) entitled "An act to amend the Insurance Law, in relation to the payment of dividends or refunds by any domestic corporation, association or society doing business subject to article six of the Insurance Laws," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Prentice gives notice that he requests that Senate bill (No. 1776, Rec. No. 478) entitled "An act to amend chapter nine hundred and nine of the Laws of eighteen hundred and ninety-six in relation to the elections, constituting chapter six of the general laws, with relation to the appointment and removal of election officers in cities," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Mead gives notice that he requests that the Senate bill (No. 700, Rec. No. 293) entitled "An act to amend chapter eighteen of the general laws, known as the County Law, relative to the issue of town obligations," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

The Senate sent for concurrence the following entitled bills:

"An act to amend chapter one hundred and twenty-three of the Laws of nineteen hundred and six, entitled 'An act providing for the election of directors in mutual life insurance corpora-

tions,' relative to biennial elections" (No. 1829, Rec. No. 502), which was read the first time.

On motion of Mr. Rogers, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Rogers, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoe	Nevins	Surpluss
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to amend the Penal Code, in relation to the privileges of witnesses in investigations and proceedings relating to rebates

and allowances by life insurance corporations" (No. 1229, Rec. No. 501), which was read the first time.

On motion of Mr. Rogers, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Rogers, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smitu A E
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

By unanimous consent, Mr. Brooks introduced a bill entitled "An act to amend chapter two hundred and three of the Laws

of nineteen hundred and six, entitled 'An act to authorize the city of Buffalo to issue its bonds for the purpose of extending and improving the supply of water to the city and its inhabitants,' as amended by chapter eighty-four of the Laws of nineteen hundred and seven, and to validate proceedings heretofore taken for the authorization and sale of bonds under said act, and to authorize the issuance of bonds pursuant to said proceedings, payable in fifty years without option of prior payment" (Int. No. 1973), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Gray introduced a bill entitled "An act to legalize and confirm the acts and proceedings of the trustees and voters of union free school district number one, town of Hammond, Saint Lawrence county, New York, relative to certain tax and issue and sale of certain bonds of said district" (Int. No. 1974), which was read the first time and referred to the committee on internal affairs.

By unanimous consent, Mr. Fowler introduced a bill entitled "An act to legalize certain acts of the mayor and common council of the city of Kingston, in relation to grading certain streets and constructing sewers therein and validating the acts of the common council and assessor in letting contracts, levying assessments and collecting taxes for such improvements" (Int. No. 1975), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Fowler introduced a bill entitled "An act to legalize certain acts of the mayor and common council of the city of Kingston in relation to grading certain streets and constructing sewers therein and validating the acts of the common council and assessor in letting contracts and for levying assessments and collecting taxes for such improvements" (Int. No. 1976), which was read the first time and referred to the committee on affairs of cities.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Volk (No. 1395, Int. No. 1155), entitled "An act to authorize the building of a dike or dikes for the protection of property adjacent to the Allegany river in the city of Olean, and making an appropriation therefor."

Also, Assembly bill introduced by Mr. Weimert (No. 2508, Int. No. 1770), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of George W. Maltby against the State of New York, and to render judgment therefor," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Fuller (No. 1723, Rec. No. 486), entitled "An act authorizing and directing the State Water Supply Commission to devise plans for the progressive development of the water powers of the State, for the public use, under State ownership and control, and making an appropriation therefor."

Also, Senate bill introduced by Mr. Owens (No. 1793, Rec. No. 497), entitled "An act to amend the Code of Civil Procedure, in relation to deposits of legacies to unknown persons."

Also, Senate bill introduced by Mr. Grady (No. 975, Rec. No. 492), entitled "An act to amend sections sixty and sixty-one of chapter five hundred and sixty-six, Laws of eighteen hundred and ninety, known as 'The Transportation Corporations Law,' as amended."

Also, Senate bill introduced by Mr. Burr (No. 701, Rec. No. 272), entitled "An act to provide for the taxation for school purposes of the lands owned by the State and situate within the boundaries of school district number five, of the town of Smithtown, Suffolk county."

Also, Senate bill introduced by Mr. Fuller (No. 1298, Rec. No. 281), entitled "An act to amend the Greater New York charter, relative to the department of corrections and the institutions under the jurisdiction of the commissioner, and to transfer the jail buildings in Kings county from the custody of the sheriff to the commissioner of correction."

Also, Senate bill introduced by Mr. Fancher (No. 1803, Rec. No. 498), entitled "An act to amend the Insurance Law, in relation to the payment of dividends or refunds by any domestic corporation, association or society doing business subject to article six of the Insurance Law."

Also, Senate bill introduced by Mr. Grattan (No. 700, Rec. No. 293), entitled "An act to amend chapter eighteen of the general laws, known as the County Law, relative to the issue of town obligations."

Also, Senate bill introduced by Mr. Page (No. 1776, Rec. No. 478), entitled "An act to amend chapter nine hundred and nine of the Laws of eighteen hundred and ninety-six, in relation to the elections, constituting chapter six of the general laws, with relation to the appointment and removal of election officers in cities," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

A message from the Governor, by the hand of his secretary, was received and read in words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, June 11, 1907.

To the Assembly:

I return herewith, without my approval, Assembly bill (No. 2269) entitled "An act to amend the Railroad Law, in relation to rates of fare."

This bill, with specified exceptions, provides for a maximum passenger fare of two cents per mile upon the railroads in this State. Steam railroads less than 150 miles in length which are not within the counties of New York and Kings (or within the limits of an incorporated city), are permitted a higher maximum charge of three, four and five cents a mile according to length of line, unless through consolidation, lease or control they form part of a system whose combined lines exceed 150 miles, in which case the provision for a maximum rate of two cents a mile is applicable.

The passage of the bill was not preceded by legislative investigation or suitable inquiry under the authority of the State. Nor is the fixing of this rate predicated on reports or statistics officially collated which would permit a fair conclusion as to the justice of its operation with reference to the railroads within its purview. It plainly reflects dissatisfaction with existing conditions and an effort to provide a remedy through arbitrary action. It seems largely to have been the result of annoying requirements and discriminations in connection with the sale of mileage books on certain roads.

The bill represents a policy seriously mistaken and pregnant with disaster. It is of the utmost importance that the management of our railroad corporations should be subject to strict supervision by the State and that regulations compelling the observance of the law and proper and adequate service should be rigidly enforced. It is the duty of these corporations to provide transportation of passengers and goods at reasonable rates, and the State should compel the performance of this obligation.

But injustice on the part of railroad corporations toward the public does not justify injustice on the part of the State toward the railroad corporations. The action of government should be fair and impartial, and upon this every citizen, whatever his interest, is entitled to insist. We shall make matters not better but worse if to cure one wrong we establish another. The fact that those in control of railroad corporations have been guilty of grossly improper financing and of illegal and injurious discriminations in charges points clearly to the necessity of effective State action, but does not require or warrant arbitrary reprisals. In dealing with these questions democracy must demonstrate its capacity to act upon deliberation and to deal justly.

It is of the greatest importance not only that railroad corporations should be compelled to respect their public obligations, but also that they should be permitted to operate under conditions which will give a fair return for their services. Upon this depends not simply the security of investors, but the security of their employees and the protection of every form of industry and commerce through the maintenance and extension of necessary transportation facilities. Nothing could be more opposed to the interests of the community as a whole than to cripple transportation corporations by arbitrary reduction of earnings. It may be said that a two-cent passenger rate is not so extreme as to have a very injurious result. But this is a debatable question. Large and prosperous suburban communities have been built up through the offer of commutation rates much less than the proposed maximum. Upon the maintenance of these rates many thousands of

our citizens rely. Considerable differences exist between the railroad corporations with respect to the territory they serve and the cost of service, and it is manifest that what would be fair for one might be far from fair for another. An arbitrary dislocation of tariffs by the fiat of the Legislature without investigation is a matter of serious concern. The test that could be said for such legislation would be that it should be regarded as an isolated case, and not as a precedent. For if flat freight rates, either for all commodities or for different kinds of commodities, were similarly to be fixed by the Legislature without investigation or proper ascertainment of their justice, our railroad business and our industrial and commercial interest would be thrown into confusion.

I do not mean to be understood as saying that a maximum two-cent passenger rate would be unreasonably low. It might be high enough in many cases. Possibly it would be high enough in all cases. I fully appreciate the fact that those who have promoted this bill believe that such a rate would be fair. But I deem it most important that the policy of dealing with matters of this sort arbitrarily, by legislative rule of general application without reference to the demands of justice in particular cases, should be condemned. Every workingman, every tradesman, and every citizen believing himself to have aught at stake in the prosperity of the country should determinedly oppose it. For it not only threatens the stability of business enterprise which makes our prosperity possible, but it substitutes unreason for sound judgment, the ill-considered demands of resentment for the spirit of fair play, and makes impossible patient and honorable effort to correct abuses.

There is a better way. It has already been pointed out in the legislation of this State. It is practically impossible, in view of the nature of the problems and the many questions requiring consideration, for the Legislature to deal directly with railroad rates in a satisfactory manner. Where a matter requires investigation in order that a just result may be reached, the obvious course is to create a body which can investigate, with expert assistance, as summarily as possible, and which shall have adequate power to make appropriate orders. Such a body has been created in this State through the Public Service Commissions Law, recently enacted.

Provision is made for inquiry into matters of freight rates and passenger fares, and for the fixing of such rates as shall be found just and reasonable. If a passenger rate of two cents a mile is just and reasonable, it can be fixed. If it is not just and reasonable, it should not be fixed.

It will be said that this requires time and investigation. But

it will not require any longer time or any more protracted investigation than are necessary to reach a right result. The interests of the country are so great and our individual interests are so closely interwoven that it is to the highest degree dangerous to give encouragement to the spirit of impatience with the orderly processes of inquiry.

It may also be said that many other States have adopted similar legislation. If the principle of that legislation be sound we could readily follow the precedent; but if it be unsound there is the greater reason why it should not be followed. The State of New York has provided machinery to settle these questions justly to all with as much dispatch as possible. It is to the interest of all that this machinery should be made as perfect and efficient as possible. It is to the interest of none that it should be discarded because of preference for arbitrary legislative action.

If this bill were to become a law it would most probably lead in many cases — on account of pretended or real necessity — to economies in service and to readjustment of rates now lower, to the annoyance and injury of considerable numbers of the traveling public for which the gain to others would not necessarily compensate. Again, the validity of such a statute would almost certainly be contested in protracted litigation, the result of which, to say the least, would be in doubt. At a critical time when the interests of all demand that reason and judgment should control in dealing with such matters, we should have abandoned our true line of action and facilitated still wider departures.

I, therefore, dissapprove this bill.

CHARLES E. HUGHES.

Mr. Baldwin moved that said bill become a law notwithstanding the objections of the Governor thereto, and that said motion lie upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

A message from the Governor, by the hand of his secretary, was received and read in words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, June 11, 1907.

To the Assembly:

I return herewith, without my approval, Assembly bill No. 1907 (Senate reprint No. 1382) entitled "An act to amend the County Law, in relation to the compensation of supervisors".

[ASSEMBLY JOURNAL.] 493

This bill conflicts with another bill, passed at this session, amending the same section of the County Law.

CHARLES E. HUGHES.

On motion of Mr. Eggleston, said message, together with said bill, was ordered laid upon the table.

Mr. Moreland moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Allen	Dudley	Harper	Morgan	Smith C
Averill	Eagleton	Harris	Murphy C F	Stanton
Baumann	Eichhorn	Hart	Nevins	Stern
Blue	Farrell	Holmes	Newton	Stratton
Boshart	Fay	Hubbs	Northrup	Surpless
Brooks	Ferguson	Hurd	Norton	Voss
Brown	Filley	Huth	O'Brian	Waddell
Buckley	Flanagan	Keller	Oliver	Wagner
Burhyte	Foley C F	Lansing	Patton	Wainwright
Burns	Foley J A	Lee	Phillips	Walters
Chamberlain	Fowler	Lowe	Prentice	Waters
Cole	Francis	Lupton	Prince	Weber
Collins	Ganly	Maher	Ralston	Weimert
Colné	Garbe	Mance	Reece	Wells
Conklin	Geoghagan	Marlatt	Robinson	Whitley
Conrad	Gray	McCue	Rogers	Whitney F G
Cuvillier	Green	Mead	Schoeneck	Whitney G H
De Groot	Hackett	Merritt	Schwegler	Winters
Dominy	Hammond	Miller	Shuttleworth	Yale
Donnelly	Hamn	Mills	Sinclair	Young
Draper	Harawitz	Moreland	Smith A E	

Mr. Moreland moved that the call of the House be made a close call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the bill (No. 2893) entitled "An act to amend the Code of Civil Procedure, in relation to Richmond county." (Int. No. 1823.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Roshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Surpless
Buckley	Flanagan	Hooper	Northrup	Todd
Burhyte	Foley C F	Hubbs	Norton	Volk
Burns	Foley J A	Hurd	O'Brian	Voss
Burzynski	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Keller	Parker	Wainwright
Chamberlain	Frisbie	Lansing	Patton	Walters
Cole	Ganly	Lee	Phillips	Waters
Colné	Garbe	Lewis	Prince	Weber
Conklin	Geoghagan	Loos	Ralston	Weimert
Conrady	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the bill (No. 1997, Senate reprint No. 1809) entitled "An act to amend the Code of Criminal Procedure, in relation to what persons are vagrants." (Int. No. 33.)

Said bill having been announced, Mr. Speaker stated the question to be upon concurrence in the amendments of the Senate thereto.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt]	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Surpless
Buckley	Flanagan	Hooper	Northrup	Todd
Burhyte	Foley C F	Hubbs	Norton	Volk
Burns	Foley J A	Hurd	O'Brian	Voss
Burzynski	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Keller	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Walters
Cole	Ganly	Lee	Phillips	Waters
Colné	Garbe	Lewis	Prince	Weber
Conklin	Geoghagan	Loos	Ralston	Weinert
Conrady	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

Mr. Speaker announced the special order, being the Senate bill (No. 1279, Assembly reprint No. 2894) entitled "An act to empower the State Water Supply Commission to inquire into the expediency of the State owning or controlling the water powers within its borders." (Rec. No. 490.)

On motion of Mr. Prentice, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stanton
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrad	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1467, Assembly reprint No. 2895) entitled "An act to protect owners of securities of railroads or railways, having mortgages of record, by extending the corporate existence of those heretofore organized pursuant to and in conformity with the laws of the State of New York, and permitting the use of electric as well as steam power." (Rec. No. 397.)

On motion of Mr. Merritt, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 79

NOES 32

Those who voted in the affirmative were:

Allen	Draper	Gunderman	Matthews	Schoeneck
Baldwin	Dudley	Hackett	McCue	Schwegler
Blue	Eagleton	Hamilton	Mead	Shuttleworth
Bohan	Eichhorn	Hammond	Merritt	Sinclair
Boshart	Farrell	Harawitz	Miller	Smith C
Brooks	Ferguson	Harris	Mills	Staley
Brough	Feth	Hoey	Mooney	Voss
Brown	Filley	Hubbs	Morgan	Walters
Burhyte	Foley C F	Hurd	Nevins	Waters
Burns	Foley J A	Keller	Newton	Weber
Chamberlain	Fowler	Lansing	Norton	Weimert
Conklin	Francis	Loos	Oliver	Wells
Conrady	Ganly	Lowe	Patton	Whitley
Croak	Glore	Maher	Phillips	Whitney F G
De Groot	Gray	Mance	Ralston	Whitney G H
Dominy	Green	Marlatt	Schmidt	

Those who voted in the negative were:

Baumann	Garbe	Huth	Reece	Stratton
Buckley	Geoghagan	Jacobs	Robinson	Surpless
Colné	Glynn	Lupton	Smith A E	Wagner
Cuvillier	Hamm	Moreland	Smith Myron	Wainwright
Donnelly	Harper	Northrup	Stanton	Winters
Fay	Hart	O'Brian	Stern	Young
Flanagan	Holmes			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the bill (No. 513) entitled "An act to amend chapter four hundred and seventy-three of the Laws of eighteen hundred and ninety-nine, entitled 'An act to amend chapter one hundred and seventy-nine of the general laws of eighteen hundred and ninety-eight, entitled "An act in relation to enrollment for political parties, primary elections, conventions and political committees," relative to the enrollment for and holding of primary elections,' in relation to direct nominations, and to provide for the expense thereof, in the year nineteen hundred and seven." (Int. No. 71.)

Said bill having been announced, Mr. Green moved to amend as follows:

Page 2, line 14, strike out bracket before word "for" and insert bracket before word "the", so that word "for" will be taken out of the brackets.

Page 3, line 24, strike out words "twelve-a" and insert the words "twelve-b".

Page 3, line 25, strike out "§ 12-a" and insert "§ 12-b".

Page 5, line 24, after the word "positions." insert "In case the number of any committee of the party or delegates or alternates to any convention to be voted for on one ballot shall exceed three, the petition may contain a request that the names of the candidates for the committee or committees or delegates or alternates shall be printed on the official ballot herein provided for in groups as they appear on the petition."

Page 7, line 5, after the word "vote" strike out period and insert ", or if he desires to vote for all the names of a group he should make a cross (X) mark in the circle above the group".

Page 7, line 24, after the word "filed;" insert "If a petition requests that the names of the candidates for any committee or for delegates or alternates to any convention be printed in groups as hereinabove provided, then the names of such candidates shall be printed on the ballot in groups as they appear on the petition under the name of the position to be filled. The groups shall be separated from the names of other candidates for the same position by a heavy horizontal black line or black lines, and immediately above each group shall be printed a circle three-eighths of an inch in diameter for a voting space;"

Page 9, line 8, after the word "vote" strike out the period and insert a comma and "in case the names of candidates appear in a group upon the ballot as above provided, the elector may indicate his choice of all the names in the group by making a cross (X) mark in the circle above the group. In case the elector makes cross (X) marks both in the circle above a group and before the names of candidates for the same position, the names so marked separately shall be counted as his choice, and also, if necessary to make up the number of the committee or delegates or alternates, a sufficient number of names in the group beginning at the top".

Page 9, line 24, after the word "name" strike out period and insert comma and "and by counting the number of cross (X) marks in the circle above a group containing his name".

Mr. Speaker stated the question to be upon the amendments offered by Mr. Ralston on Friday last.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Ralston, and it was determined in the affirmative.

Mr. Green moved to reconsider the vote by which said motion was carried.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Ordered, That said bill be reprinted and restored to special order of second and third reading.

Mr. Speaker announced the special order, being the bill (No. 753) entitled "An act making appropriations for repairs, renewals and betterment for the several State prisons, the Matteawan State Hospital for Insane Criminals and the Dannemora State Hospital for Insane Convicts." (Int. No. 696.)

Said bill having been announced for second reading, Mr. Moreland moved to amend as follows:

Page 2, line 7, beginning with the word "for" strike out remainder of line, and lines 8 and 9.

Line 11, beginning with the word "painting" strike out balance of line, and lines 12, 13 and 14, and the word "for" on line 15.

Line 25, strike out semicolon after "(\$300)" and balance of line.

Page 3, strike out lines 9 and 10 to and including semicolon after "(\$5,800)".

Page 3, line 15, beginning with word "for" strike out balance of line, and line 16 up to and including "(\$5,000)".

On motion of Mr. Moreland; said bill, as amended, was then read the second time and ordered to a third reading.

A message from the Governor was received and read, in words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, in accordance with the provisions of section 15 of article 3 of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Assembly bill (Int. No. 696, printed No. 2906), entitled "An act making appropriations for repairs, renewals and betterments for the several State prisons, the Matteawan State Hospital for Insane Criminals and the Dannemora State Hospital for Insane Convicts".

Given under my hand and the privy seal of the State at the Capitol in the city of Albany this eleventh day of June in the year of our Lord one thousand nine hundred and seven.

(Signed)

CHARLES E. HUGHES.

By the Governor,

ROBERT H. FULLER,

Secretary to the Governor.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, the necessity for the immediate passage of the same having been certified by the Governor, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Averill	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Hamn	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Morgan	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Ferguson	Hastings	Murphy G W	Stratton
Brough	Feth	Hoey	Nevins	Surpless
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1803) entitled "An act to amend the Insurance Law, in

relation to the payment of dividends or refunds by any domestic corporation, association or society doing business subject to article six of the Insurance Law." (Rec. No. 498.)

On motion of Mr. Rogers, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Surpless
Buckley	Flanagan	Hooper	Northrup	Todd
Burhyte	Foley C F	Hubbs	Norton	Volk
Burns	Foley J A	Hurd	O'Brian	Voss
Burzynski	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Keller	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Walters
Cole	Ganly	Lee	Phillips	Waters
Colné	Garbe	Lewis	Prince	Weber
Conklin	Geoghagan	Loos	Ralston	Weimert
Conrady	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 975) entitled "An act to amend sections sixty and sixty-one

of chapter five hundred and sixty-six, Laws of eighteen hundred and ninety, known as 'The Transportation Corporations Law,' as amended." (Rec. No. 492.)

On motion of Mr. Oliver, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 2

Those who voted in the affirmative were:

Allen	Draper	Hammond	Mead	Shuttleworth
Averill	Dudley	Hamm	Merritt	Sinclair
Baldwin	Duell	Harawitz	Miller	Smith A E
Blue	Eagleton	Harper	Mills	Smith C
Bohan	Eggleston	Harris	Mooney	Smith Myron
Boshart	Eichhorn	Hart	Morgan	Staley
Brady	Ferguson	Hastings	Murphy C F	Stern
Brooks	Feth	Hoey	Murphy G W	Stevenson
Brough	Filley	Holmes	Nevins	Stratton
Brown	Flanagan	Hooper	Newton	Surpless
Buckley	Foley C F	Hubbs	Northrup	Todd
Burhyte	Foley J A	Hurd	Norton	Volk
Burns	Fowler	Jackson	O'Brian	Voss
Burzynski	Francis	Keller	Oliver	Waddell
Cavanaugh	Frisbie	Lansing	Parker	Wagner
Chamberlain	Ganly	Lee	Patton	Walters
Cole	Garbe	Lewis	Phillips	Waters
Colné	Geoghagan	Loos	Prince	Weber
Conklin	Glore	Lowe	Ralston	Weinert
Conrady	Gluck	Lupton	Reece	Wells
Croak	Glynn	Maher	Robinson	Whitley
Cunningham	Goldberg	Mallon	Rogers	Whitney F G
De Groot	Gray	Mance	Schmidt	Whitney G H
Dobbs	Green	Marlatt	Schoeneck	Wood
Dominy	Gunderman	Matthews	Schulz	Yale
Donnelly	Hackett	McCue	Sheridan	Young
Dowling	Hamilton			

Those who voted in the negative were:

Cuvillier Moreland

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill

(No. 701) entitled "An act to provide for the taxation for school purposes, of the lands owned by the State and situate within the boundaries of school district number five, of the town of Smith-town, Suffolk county." (Rec. No. 272.)

On motion of Mr. Hubbs, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Surpress
Buckley	Flanagan	Hooper	Northrup	Todd
Burhyte	Foley C F	Hubbs	Norton	Volk
Burns	Foley J A	Hurd	O'Brian	Voss
Burzynski	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Keller	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Walters
Cole	Ganly	Lee	Phillips	Waters
Colné	Garbe	Lewis	Prince	Weber
Conklin	Geoghagan	Loos	Ralston	Weimert
Conrady	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1723) entitled "An act authorizing and directing the State

Water Supply Commission to devise plans for the progressive development of the water powers of the State, for the public use, under State ownership and control, and making an appropriation therefor." (Rec. No. 486.)

On motion of Mr. Mooney, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Surpliss
Buckley	Flanagan	Hooper	Northrup	Todd
Burhyte	Foley C F	Hubbs	Norton	Volk
Burns	Foley J A	Hurd	O'Brian	Voss
Burzynski	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Keller	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Walters
Cole	Ganly	Lee	Phillips	Waters
Colné	Garbe	Lewis	Prince	Weber
Conklin	Geoghagan	Loos	Ralston	Weimert
Conrady	Glofe	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1793) entitled "An act to amend the Code of Civil Procedure, in relation to deposits of legacies to unknown persons." (Rec. No. 497.)

On motion of Mr. Prentice, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 1

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Mead	Sinclair
Baldwin	Dudley	Hamn	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Smith Myron
Boshart	Eggleston	Harris	Mooney	Staley
Brady	Eichhorn	Hart	Morgan	Stern
Brooks	Ferguson	Hastings	Murphy C F	Stevenson
Brough	Feth	Hoey	Murphy G W	Stratton
Brown	Fillely	Holmes	Nevins	Surplless
Buckley	Flanagan	Hooper	Newton	Todd
Burhyte	Foley C F	Hubbs	Northrup	Volk
Burns	Foley J A	Hurd	Norton	Voss
Burzynski	Fowler	Jackson	O'Brian	Waddell
Cavanaugh	Francis	Keller	Oliver	Wagner
Chamberlain	Frisbie	Lansing	Parker	Walters
Cole	Ganly	Lee	Patton	Waters
Colné	Garbe	Lewis	Prince	Weber
Conklin	Geoghagan	Loos	Ralston	Weimert
Conrady	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

In the negative:

Phillips

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 1395) entitled "An act to authorize the building of a dike or dikes for the protection of property adjacent to the Allegany river, in the city of Olean, and making an appropriation therefor." (Int. No. 1155.)

On motion of Mr. Volk, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Surpluss
Buckley	Flanagan	Hooper	Northrup	Todd
Burhyte	Foley C F	Hubbs	Norton	Volk
Burns	Foley J A	Hurd	O'Brian	Voss
Burzynski	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Keller	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Walters
Cole	Ganly	Lee	Phillips	Waters
Colné	Garbe	Lewis	Prince	Weber
Conklin	Geoghagan	Loos	Ralston	Weimert
Conrady	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2508) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit, and determine, the alleged claim of George W. Maltby against the State of New York, and to render judgment therefor" (Int. No. 1770). Said bill having been announced for a second reading,

On motion of Mr. Weimert, said bill was laid aside and ordered stricken from the calendar.

Mr. Speaker announced the special order, being the Senate bill (No. 700) entitled "An act to amend chapter eighteen of the general laws, known as the County Law, relative to the issue of town obligations." (Rec. No. 293.)

On motion of Mr. Mead, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Surpluss
Buckley	Flanagan	Hooper	Northrup	Todd
Burhyte	Foley C F	Hubbs	Norton	Volk
Burns	Foley J A	Hurd	O'Brian	Voss
Burzynski	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Keller	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Walters
Cole	Ganly	Lee	Phillips	Waters
Colné	Garbe	Lewis	Prince	Weber
Conklin	Geoghagan	Loos	Ralston	Weimert
Conrady	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	Whitley

Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1776) entitled "An act to amend chapter nine hundred and nine of the Laws of eighteen hundred and ninety-six, in relation to the elections, constituting chapter six of the general laws, with relation to the appointment and removal of election officers in cities" (Rec. No. 478). Said bill having been announced for a second reading,

On motion of Mr. Prentice, and by unanimous consent, said bill was made a special order on second and third reading for Wednesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the Senate bill (No. 1298) entitled "An act to amend the Greater New York charter, relative to the department of corrections and the institutions under the jurisdiction of the commissioner, and to transfer the jail building in Kings county, from the custody of the sheriff to the commissioner of correction." (Rec. No. 281.)

On motion of Mr. Mooney, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 78

NOES 14

Those who voted in the affirmative were:

Allen	Dowling	Harris	Morgan	Sinclair
Blue	Draper	Hoey	Murphy C F	Smith A E
Bohan	Dudley	Hubbs	Nevins	Smith C
Boshart	Feth	Hurd	Newton	Smith Myron

Brooks	Filley	Keller	Northrup	Staley
Brough	Fowler	Lowe	O'Brian	Stanton
Brown	Francis	Lupton	Oliver	Stratton
Chamberlain	Glore	Maher	Patton	Surplless
Cole	Green	Mallon	Phillips	Voss
Collins	Gunderman	Mance	Prentice	Wainwright
Colné	Hackett	Marlatt	Robinson	Waters
Conklin	Haines	Matthews	Rogers	Weber
Conrad	Hamilton	Mead	Schmidt	Weimert
Cunningham	Hamn	Merritt	Schoeneck	Whitney G H
De Groot	Harawitz	Miller	Shuttleworth	Young
Dominy	Harper	Moreland		

Those who voted in the negative were:

Baumann	Eichhorn	Flanagan	Geoghagan	Jacobs
Cuvillier	Farrell	Ganly	Glynn	McCue
Donnelly	Fay	Garbe	Holmes	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

By unanimous consent, Mr. C. F. Foley called up Assembly bill (No. 2297, reprint No. 2897, Int. No. 1672), entitled "An act authorizing the city of Lockport to issue bonds, for the purpose of acquiring real property for a site for a public market and constructing the same," now on the order of third reading.

A message from the Governor was received and read in words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, in accordance with the provisions of section 15 of article 3 of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Assembly bill (Int. No. 1672, reprint No. 2897), entitled "An act authorizing the city of Lockport to issue bonds, for the purpose of acquiring real property for a site for a public market and constructing the same."

Given under my hand and the privy seal of the State at the Capitol in the city of Albany this eleventh day of June, in the year of our Lord one thousand nine hundred and seven.

(Signed)

CHARLES E. HUGHES.

By the Governor,

ROBERT H. FULLER,

Secretary to the Governor.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, the necessity for the immediate passage of the same having been certified by the Governor, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myren
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Surpless
Buckley	Flanagan	Hooper	Northrup	Todd
Burhyte	Foley C F	Hubbs	Norton	Volk
Burns	Foley J A	Hurd	O'Brian	Voss
Burzynski	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Keller	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Walters
Cole	Ganly	Lee	Phillips	Waters
Colne	Garbe	Lewis	Prince	Weber
Conklin	Geoghagan	Loos	Ralston	Weimert
Conrady	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

On motion of Mr. Schoeneck, his motion to reconsider the vote by which Assembly bill (No. 2881, Int. No. 1640) was passed, was made a special order for Wednesday next.

The Senate returned the Assembly bill (No. 2066, Senate re-print No. 1731, Int. No. 953) entitled "An act to amend title fifteen of the Consolidated School Law, by providing for courses of study in, and the inspection and supervision of, schools or

classes in charitable and penal institutions," with a message that they have concurred in the passage of the same, with the following amendments:

On page 2, line 6, after "institution," strike out "which is".

Same page and line, after "supported," strike out "in whole or in part," and insert "wholly".

Same page and line, after "by," strike out "the".

Same page, line 7, before "the," strike out "funds of".

Mr. Cunningham moved to concur in the Senate amendments.

Objection being made to the immediate consideration of said message, ordered, that said message be referred to the committee on rules.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 2063, Int. No. 911) entitled "An act to amend the Greater New York charter, in relation to territory for the accommodation and use of canal boats and barges," with a message that said mayor, after a public hearing thereon, does not approve said bill, and does not accept the same.

Mr. Speaker stated the question to be "Shall this bill pass notwithstanding the objections of the mayor of the city of New York thereto?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

AYES 78

NOES 16

Those who voted in the affirmative were:

Averill	Draper	Hammond	Matthews	Schmidt
Baldwin	Dudley	Harper	McCue	Schoeneck
Baumann	Farrell	Hart	Mead	Shuttleworth
Blue	Ferguson	Hoey	Miller	Smith A E
Bohan	Filley	Holmes	Mooney	Smith C
Boshart	Foley C F	Hubbs	Morgan	Staley
Brooks	Foley J A	Jacobs	Murphy C F	Stratton
Brough	Frisbie	Lansing	Neyins	Surpless
Brown	Ganly	Lee	Newton	Todd
Burns	Garbe	Loos	Norton	Voss
Chamberlain	Geoghagan	Lowe	O'Brian	Wagner
Collins	Glore	Lupton	Patton	Walters
Colne	Glynn	Maher	Phillips	Waters

Conklin	Green	Mallon	Robinson	Weimert
De Groot	Gunderman	Mance	Rogers	Whitney F G
Dowling	Hamilton	Marlatt		

Those who voted in the negative were:

Allen	Cunningham	Fowler	Northrup	Wainwright
Buckley	Cuvillier	Hurd	Smith Myron	Whitney G H
Burhyte	Donnelly	Keller	Stanton	Yale
Cole				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, June 11, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 2652, Int. No. 836) entitled "An act to amend chapter sixty-three of the Laws of nineteen hundred and two, entitled 'An act to incorporate the city of Fulton,' relating to limitation of actions against the city."

CHARLES E. HUGHES.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, June 5, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1676, Int. No. 884) entitled "An act to amend the Lien Law, relative to publishing notice of sale of personal property to satisfy a lien."

CHARLES E. HUGHES.

By unanimous consent, Mr. Rogers offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on railroads be discharged from the further consideration of the Senate bill (No. 708, Rec. No. 325) entitled "An act to repeal charter two hundred and thirty-

one of the Laws of eighteen hundred and ninety-three, entitled 'An act to legalize the agreement between the Binghamton and Port Dickinson railroad company, the Binghamton street railroad company and the city of Binghamton, New York,' said bill having been referred to said committee subsequent to the fifth day of April last past.

Debate was had thereon.

Mr. Moreland raised the point of order that said committee on railroads had not held a meeting since said bill was referred to it, and that under rule 11 said motion to discharge could not be entertained.

Mr. Speaker held the point of order well taken.

Pursuant to notice, Mr. Rogers moves to suspend rules Nos. 5, 6, 9, 10, 11, 12, 13, 18, 19, 20, 21, 22, 23, 49 and 54, for the purpose of discharging any and all committees of this House from the further consideration of Senate bill (No. 708), entitled "An act to repeal chapter two hundred and thirty-one of the Laws of eighteen hundred and ninety-three, entitled 'An act to legalize the agreement between the Binghamton and Port Dickinson Railroad Company, the Binghamton Street Railroad Company, and the city of Binghamton, New York,'" and for the purpose of advancing out of its order and passing said bill.

Debate was had thereon.

Mr. Merritt called attention to the fact that Mr. Rogers' notice to suspend the rules did not include the special rule adopted by the House April 25th.

By unanimous consent, Mr. Rogers withdrew his motion to suspend the rules.

Mr. Gray offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 2667, Senate reprint No. 1766, Int. No. No. 1857) entitled "An act to legalize and confirm the acts and proceedings of the trustees and voters of union free school district number one, town of Hammond, Saint Lawrence county, New York, relative to certain tax and issue and sale of certain bonds of said district," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Boshart offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 2055, Int. No. 1126) entitled "An act to amend the Agricultural Law, in relation to the sale of apples, pears and peaches," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. F. G. Whitney offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 2652, Int. No. 836) entitled "An act to amend chapter sixty-three of the Laws of nineteen hundred and two, entitled 'An act to incorporate the city of Fulton,' relating to limitation of actions against the city," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. G. H. Whitney offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 2713, Int. No. 1867) entitled "An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled 'An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof,' in relation to increase of the salary of the assistant chief, electrician and permanent firemen of the fire department of said village," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Hammond offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 2679, Int. No. 745) entitled "An act to amend chapter one hundred and ninety-four of the Laws of eighteen hundred and ninety-seven, entitled 'An act creating a commissioner of jurors for each county of the State having a population of more than one hundred and fifty thousand and less than one hundred and ninety thousand, and regulating and prescribing his duties,' relative to clerk hire and drawing of jurors," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. F. G. Whitney offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1558, Int. No. 1265) entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' in relation to the liability of the city," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the bill (No. 2884, Int. No. 1615) entitled "An act to amend the Greater New York charter, relative to the appointment of teachers in the public schools," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 1729, Int. No. 46) entitled

"An act to provide for a judicial recount and recanvass of the votes cast for the office of mayor at the election of the seventh of November, nineteen hundred and five, in all cities of the first class in which the ballots have been preserved," with a message that this bill was again duly passed, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, the President stating the question to be "Shall this bill pass notwithstanding the objection of the acting mayor of the city of New York thereto?"

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 2055, Int. No. 1126), entitled "An act to amend the Agricultural Law, in relation to the sale of apples, pears and peaches," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 2667, Senate reprint No. 1766, Int. No. 1857), entitled "An act to legalize and confirm the acts and proceedings of the trustees and voters of union free school district number one, town of Hammond, Saint Lawrence county, New York, relative to certain tax, and issue and sale of certain bonds of said district," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 2652, Int. No. 836), entitled "An act to amend chapter sixty-three of the Laws of nineteen hundred and two, entitled 'An act to incorporate the city of Fulton,' relating to limitation of actions against the city," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 2713, Int. No. 1867), entitled "An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled 'An act to amend the charter of the village of

Saratoga Springs, and the several acts amendatory thereof,' in relation to increase of the salary of the assistant chief, electrician and permanent firemen of the fire department of said village," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 2679, Int. No. 745), entitled "An act to amend chapter one hundred and ninety-four of the Laws of eighteen hundred and ninety-seven, entitled 'An act creating a commissioner of jurors for each county of the State having a population of more than one hundred and fifty thousand and less than one hundred and ninety thousand, and regulating and prescribing his duties,' relative to clerk hire and drawing of jurors," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill 1558, Int. No. 1265), entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' in relation to the liability of the city," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 2816, Int. No. 757), entitled "An act to amend the Greater New York charter, relating to the uniformed force of the fire department," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Rogers gives notice that at some future day he will move to suspend rules Nos. 5, 6, 9, 10, 11, 12, 13, 18, 19, 20, 21, 22, 23, 49, 54; and also the special rule adopted by this House on

April twenty-fifth, nineteen hundred and seven, for the purpose of discharging any and all committees of this House from the further consideration of Senate bill (No. 708), entitled "An act to repeal chapter two hundred and thirty-one of the Laws of eighteen hundred and ninety-three, entitled 'An act to legalize the agreement between the Binghamton and Port Dickinson Railroad Company, the Binghamton Street Railroad Company, and the city of Binghamton, New York,' " and for the purpose of advancing out of its order, and passing said bill.

Mr. Rogers gives notice that at some future day he will move to suspend rules Nos. 5, 6, 9, 10, 11, 12, 13, 18, 19, 20, 21, 22, 23, 49, 54, and also the special rule adopted by this House on April twenty-fifth, nineteen hundred and seven, for the purpose of discharging any and all committees of this House from the further consideration of Senate bill (No. 1244), entitled "An act to limit the application of the provisions of section ninety-three of the Railroad Law ratifying and confirming certain contracts, so far as such provisions apply to the city of Binghamton," and for the purpose of advancing out of its order and passing said bill.

On motion of Mr. Moreland, the House took a recess until 8:30 p. m., for the purpose of holding a memorial service for deceased members.

WEDNESDAY, JUNE 12, 1907.

The House met pursuant to adjournment.

Prayer by Rev. Henry M. Cox, 1451 Lexington avenue, New York.

On motion of Mr. Moreland, the reading of the journal of yesterday was disposed with, and the same was approved.

Mr. Mills gives notice that he requests that Assembly bill (No. 2817, Int. No. 1719) entitled "An act to amend the Public Health Law, in relation to local health officers," a copy of which

is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. J. A. Foley gives notice that he requests that Assembly bill (No. 2582, Int. No. 1658) entitled "An act to amend the Insurance Law, constituting chapter thirty-eight of the general laws, in relation to provisions in contracts or policies of insurance for the appointment of an umpire," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Hart gives notice that he requests that Senate bill (No. 1833, Rec. No. 331) entitled "An act to amend chapter ninety-eight of the Laws of nineteen hundred, entitled 'An act making the office of treasurer of Oneida county a salaried office and regulating the management thereof,'" a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Hart gives notice that he requests that Senate bill (No. 1834, Rec. No. 332) entitled "An act to amend chapter three hundred and twenty-one of the Laws of nineteen hundred and ninety-eight, entitled 'An act to make the office of sheriff of Oneida county a salaried office and to regulate the management thereof,' relative to the appointment and compensation of an office deputy," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Robinson gives notice that he requests that the Senate bill (No. 1630, Rec. No. 491) entitled "An act to regulate street peddling in the city of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Ferguson gives notice that he requests that Senate bill (No. 1664, Rec. No. 418) entitled "An act to incorporate the

United Fellowship of Good Samaritans," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Francis gives notice that he requests that the Senate bill (No. 795, Rec. No. 499) entitled "An act to amend chapter three hundred and thirty-four of the Laws of nineteen hundred and one, entitled 'An act in relation to tenement houses in cities of the first class,' relative to bakeries," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Burns gives notice that he requests that the Senate bill (No. 1403, Rec. No. 417) entitled "An act to legalize the acts of Conrad F. Dietrick, a notary public," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Schwegler gives notice that he requests that the Senate bill (No. 291, Rec. No. 488) entitled "An act to amend chapter four hundred and sixty-six of the Laws of nineteen hundred and one (the Greater New York charter), by providing for the licensing of theatre ticket brokers and the regulation of the theatre brokerage business," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Wells gives notice that he requests that Senate bill (No. 1720, Rec. No. 461) entitled "An act to amend the Insurance Law, in relation to securities guaranty corporation," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Flanagan gives notice that he requests that Assembly bill (No. 1067, Int. No. 934) entitled "An act to provide for the acquisition by the city of New York of the property and franchises of certain water companies in the borough of Queens," a copy

of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Phillips gives notice that he requests that the Senate bill (No. 1700, Rec. No. 455) entitled "An act to amend section one hundred and seventy-eight of chapter six hundred and eighty-nine of the Laws of eighteen hundred and ninety-two, entitled 'An act in relation to banking corporations, being chapter thirty-seven of the general laws,' relative to charges for premium and interest by building and mutual loan corporations or associations and co-operative loan associations or co-operative savings and loan associations," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

The Senate sent for concurrence the following entitled bills:

"An act to amend chapter two hundred and three of the Laws of nineteen hundred and six, entitled 'An act to authorize the city of Buffalo to issue its bonds for the purpose of extending and improving the supply of water to the city and its inhabitants,' as amended by chapter eighty-four of the Laws of nineteen hundred and seven, and to validate proceedings heretofore taken for the authorization and sale of bonds under said act, and to authorize the issuance of bonds pursuant to said proceedings, payable in fifty years without option of prior payment" (No. 1841, Rec. No. 503), which was read the first time.

On motion of Mr. Brooks, and by unanimous consent, said bill was read the second time and ordered to a third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, in accordance with the provisions of section 15 of article 3 of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity

of the immediate passage of Senate bill (Int. No. 1181, printed No. 1841), entitled, "An act to amend chapter two hundred and three of the Laws of nineteen hundred and six, entitled 'An act to authorize the city of Buffalo to issue its bonds for the purpose of extending and improving the supply of water to the city and its inhabitants,' as amended by chapter eighty-four of the Laws of nineteen hundred and seven, and to validate proceedings heretofore taken for the authorization and sale of bonds under said act, and to authorize the issuance of bonds and pursuant to said proceedings, payable in fifty years without option of prior payment."

Given under my hand and the privy seal of the State at the capitol, in the city of Albany, this eleventh day of June, in the year of our Lord one thousand nine hundred and seven.

CHARLES E. HUGHES.

By the Governor:

ROBERT H. FULLER,

Secretary to the Governor.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, the necessity for the immediate passage of the same having been certified by the Governor, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber

Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to amend the Public Lands Law, in relation to escheats" (No. 1830, Rec. No. 504), which was read the first time and referred to the committee on ways and means.

"An act to amend chapter five hundred and eighteen of the Laws of eighteen hundred and sixty-seven, entitled 'An act to amend an act entitled "An act to incorporate the village of White Plains," passed April third, eighteen hundred and sixty-six, in relation to the powers and duties of village trustees, et cetera'" (No. 1842, Rec. No. 505), which was read the first time and referred to the committee on affairs of villages.

"An act to regulate procedure and to provide for cost and expense in any proceedings for a judicial recount and recanvass of the votes cast for the office of mayor at the election of the seventh of November, nineteen hundred and five, in cities of the first class, in which the ballots have been preserved" (No. 1843, Rec. No. 506), which was read the first time and referred to the committee on the judiciary.

By unanimous consent, Mr. Weber introduced a bill entitled "An act to amend the Greater New York charter, relating to the office of coroner" (Int. No. 1977), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. G. H. Whitney, by request, introduced a bill entitled "An act to prohibit unfair discrimination between different sections, communities or localities, or unfair competition, and providing penalties therefor" (Int. No. 1978), which was read the first time and referred to the committee on the judiciary.

By unanimous consent, Mr. Burhyte introduced a bill entitled

"An act to amend the Highway Law, relative to poll taxes and the amount to be paid by the State to towns which have adopted the money system" (Int. No. 1979), which was read the first time and referred to the committee on internal affairs.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Mills (No. 2817, Int. No. 1719), entitled "An act to amend the Public Health Law, in relation to local health officers," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bill ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. J. A. Foley (No. 2582, Int. No. 1658), entitled "An act to amend the Insurance Law, constituting chapter thirty-eight of the general laws, in relation to provisions in contracts or policies of insurance for the appointment of an umpire," reported in favor of the passage of the same without amendment, and that the same be made a special order on third reading immediately, which report was agreed to, and said bill ordered made special order on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Ackroyd (No. 1833, Rec. No. 331), entitled "An act to amend chapter ninety-eight of the Laws of nineteen hundred, entitled 'An act making the office of treasurer of Oneida county a salaried office, and regulating the management thereof.'"

Also, Senate bill introduced by Mr. Ackroyd (No. 1834, Rec. No. 332), entitled "An act to amend chapter three hundred and twenty-one of the Laws of eighteen hundred and ninety-eight, entitled 'An act to make the office of sheriff of Oneida county a salaried office, and to regulate the management thereof,' relative to the appointment and compensation of an office deputy," re-

ported in favor of the passage of the same without amendment, and that the same be made a special order on third reading immediately, which report was agreed to, and said bills ordered made special orders on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Heacock (No. 1664, Rec. No. 418), entitled "An act to incorporate the United Fellowship of Good Samaritans."

Also, Senate bill introduced by Mr. Frawley (No. 1630, Rec. No. 491), entitled "An act to regulate street peddling in the city of New York."

Also, Senate bill introduced by Mr. Hasenflug (No. 1403, Rec. No. 417), entitled "An act to legalize the acts of Conrad Dietrick, a notary public."

Also, Senate bill introduced by Mr. Page (No. 795, Rec. No. 499), entitled "An act to amend chapter three hundred and thirty-four of the Laws of nineteen hundred and one, entitled 'An act in relation to tenement houses in cities of the first class,' relative to bakeries."

Also, Senate bill introduced by Mr. Wemple (No. 1720, Rec. No. 461), entitled "An act to amend the Insurance Law, in relation to securities guaranty corporations."

Also, Senate bill introduced by Mr. McCall (No. 291, Rec. No. 488), entitled "An act to amend chapter four hundred and sixty-six of the Laws of nineteen hundred and one (the Greater New York charter), by providing for the licensing of theatre ticket brokers and the regulation of the theatre brokerage business," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Flanagan (No. 1067, Int. No. 934), entitled "An act to provide for the acquisition by the city of

New York of the property and franchises of certain water companies in the borough of Queens," reported the same with the following amendment:

Page 2, line 6, after word "charter" insert the following: "It is hereby provided, however, that not more than a nominal sum shall be paid for the franchises and the public rights of said companies,"

and requests that said bill be reprinted, as amended, and recommit-
mitted to said committee.

Which report was agreed to, and said bill ordered reprinted, as amended, and recommit-
mitted to said committee.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill introduced by Mr. Tully (No. 1700, Rec. No. 455), entitled "An act to amend section one hundred and seventy-eight of chapter six hundred and eighty-nine of the Laws of eighteen hundred and ninety-two, entitled 'An act in relation to banking corporations, being chapter thirty-seven of the general laws,' relative to charges for premium and interest by building and mutual loan corporations or associations and co-operative loan associations or co-operative savings and loan associations," reported the same with the following amendments:

Page 3, line 5, bracket the words "be payable".

Page 3, line 5, after the word "sale" insert "takes place".

Page 3, line 14, bracket the word "or".

Page 3, line 14, before the word "his" insert "on".

Underscore all of subdivision A on pages 5, 6, 7 and 8.

and requests that said bill be reprinted, as amended, and recommit-
mitted to said committee, which report was agreed to, and said bill ordered reprinted, as amended, and recommit-
mitted to said committee.

Mr. Moreland, from the committee of conference, presented the following report:

To the Legislature:

The undersigned, appointed by the Senate and Assembly as a committee of conference relative to the matters of difference arising between the two Houses upon the Assembly bill (No. 2312, Senate reprint No. 1667, Int. No. 1587) entitled "An act making

appropriations for certain expenses of government and supplying deficiencies in former appropriations," report that they have duly conferred upon said matters and agreed to recommend the passage of the following substitute bill:

(See Appendix No. 49.)

WILLIAM W. ARMSTRONG,
JOTHAM P. ALLDS,

Committee on part of Senate.

SHERMAN MORELAND,
JAMES T. ROGERS,
JOHN K. PATTON,
E. A. MERRITT, JR.,
JAMES OLIVER,

Committee on part of Assembly.

Which report was agreed to, and said substitute bill ordered reprinted and engrossed and restored to the order of third reading.

A message from the Governor was received and read, in words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

To the Legislature:

It appearing to my satisfaction that the public interest requires it:

Therefore, In accordance with the provisions of section 15 of article 3 of the Constitution and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Senate bill (No. 1667), as amended, entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations."

Given under my hand and the privy seal of the State at the Capitol, in the city of Albany, this twelfth day of June, in the year of our Lord one thousand nine hundred and seven.

(Signed.)

CHARLES E. HUGHES.

By the Governor:

ROBERT H. FULLER,

Secretary to the Governor.

Mr. C. F. Foley moved that the consideration of said bill be postponed until June 13.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, the necessity for the immediate passage of the same having been certified by the Governor, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 1

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colne	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrad	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

In the negative,

Foley C F

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. West, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Insurance Law, relating to the certificate of authority of agents, and to the election of directors. (No. 2881, Int. No. 1640.)

"An act to amend chapter one hundred and twenty-three of the Laws of nineteen hundred and six, entitled 'An act providing for the election of directors in mutual life insurance corporations,' relative to biennial elections." (No. 2883, Int. No. 1965.)

"An act to authorize the building of a dike or dikes for the protection of property adjacent to the Allegany river in the city of Olean, and making an appropriation therefor." (No. 1395, Int. No. 1155.)

"An act to protect owners of securities of railroads or railways having mortgages of record, by extending the corporate existence of those heretofore organized pursuant to and in conformity with the Laws of the State of New York, and permitting the use of electric as well as steam power." (No. 2895, Rec. No. 397.)

"An act to empower the State Water Supply Commission to inquire into the expediency of the State owning or controlling the water powers within its borders." (No. 2894, Rec. No. 490.)

Mr. Moreland moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Allen	De Groot	Glynn	Mallon	Shuttleworth
Baumann	Dobbs	Goldberg	Mance	Sinclair
Blue	Dominy	Gray	Marlatt	Smith A E
Bohan	Donnelly	Green	Mead	Smith C
Boshart	Dudley	Gunderman	Merritt	Smith Myron
Brady	Eagleton	Hackett	Miller	Stanton
Brooks	Eichhorn	Hamilton	Moreland	Stern
Brough	Fay	Hammond	Murphy C F	Stratton
Brown	Ferguson	Hamn	Newton	Surpluss
Buckley	Feth	Harper	Northrup	Voss
Burhyte	Filley	Harris	O'Brian	Waddell
Burns	Flanagan	Holmes	Oliver	Wagner
Chamberlain	Foley C F	Hubbs	Parker	Wainwright
Cole	Foley J A	Hurd	Patton	Waters
Collins	Francis	Jackson	Phillips	Weimert
Colné	Frisbie	Jacobs	Prentice	West
Conklin	Ganly	Keller	Reece	Whitley
Conrady	Garbe	Lansing	Robinson	Whitney G H
Cunningham	Geoghagan	Lowe	Rogers	Winters
Cuvillier	Glore	Maher	Schoeneck	Young

Mr. Moreland moved that the call of the House be made a close call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the Senate bill (No. 1776) entitled "An act to amend chapter nine hundred and nine of the Laws of eighteen hundred and ninety-six, in relation to the elections, constituting chapter six of the general laws, with relation to the appointment and removal of election officers in cities" (Rec. No. 478). Said bill having been announced for a second reading,

On motion by Mr. Oliver, and by unanimous consent, said bill was made a special order on second and third reading for Thursday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 2582) entitled "An act to amend the Insurance Law constituting chapter thirty-eight of the general laws, in relation to provisions in contracts or policies of insurance for the appointment of an umpire." (Int. No. 1658.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allea	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley

Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers.	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1834) entitled "An act to amend chapter three hundred and twenty-one of the Laws of eighteen hundred and ninety-eight, entitled 'An act to make the office of sheriff of Oneida county a salaried office, and to regulate the management thereof,' relative to the appointment and compensation of an office deputy." (Rec. No. 332.)

Said bill having been announced, Mr. Speaker stated the question to be upon the reconsideration of the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Fa'rell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpluss
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G

Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Said bill, as amended, was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamm	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowé	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same.

Mr. Speaker announced the special order, being the Senate bill

(No. 1833) entitled "An act to amend chapter ninety-eight of the Laws of nineteen hundred, entitled 'An act making the office of treasurer of Oneida county a salaried office, and regulating the management thereof.' " (Rec. No. 331.)

Said bill having been announced, Mr. Speaker stated the question to be upon the reconsideration of the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpluss
Brough	Feth	Hubbs	Northrup	Todd
Brown	Fille	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brien	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Cuniberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Said bill, as amended, was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same.

Mr. Speaker announced the special order, being the bill (No. 2817) entitled "An act to amend the Public Health Law, in relation to local health officers." (Int. No. 1719.)

On motion of Mr. Mills, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1664) entitled "An act to incorporate the United Fellowship of Good Samaritans." (Rec. No. 418.)

On motion of Mr. Ferguson, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Boban	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1630) entitled "An act to regulate street peddling in the city of New York" (Rec. No. 491). Said bill having been announced for second reading, Mr. Harawitz moved to recommit said bill to the committee on rules.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the Senate bill (No. 1403) entitled "An act to legalize the acts of Conrad F. Dietrick, a notary public." (Rec. No. 417.)

On motion of Mr. Oliver, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Garly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 795) entitled "An act to amend chapter three hundred and thirty-four of the Laws of nineteen hundred and one, entitled 'An act in relation to tenement houses in cities of the first class,' relative to bakeries." (Rec. No. 499.)

Said bill having been announced for second reading, Mr. Glore moved to amend as follows:

On page 1, line 8, strike out the words "iron or".

On page 2, line 5, beginning with the word "in" strike out balance of line, all of line 6 and 7, down to and including the word "premises".

On page 2, line 9, beginning with the word "with" strike out balance of line and line 10 down to and including the word "thick".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

On motion of Mr. Prentice, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 79

NOES 35

Those who voted in the affirmative were:

Allen	Draper	Hoey	Nevins	Stanton
Averill	Dudley	Hubbs	Newton	Stern
Blue	Eagleton	Hurd	O'Brian	Stevenson
Bohan	Ferguson	Jackson	Oliver	Stratton
Boshart	Foley J A	Keller	Parker	Wagner
Brady	Francis	Lansing	Patton	Wainwright
Brooks	Frisbie	Lee	Phillips	Waters
Brough	Ganly	Loos	Prentice	Weimert
Buckley	Glynn	Lowe	Reece	Wells
Burhyte	Gray	Mance	Robinson	West
Chamberlain	Gunderman	Marlatt	Rogers	Whitley
Cole	Haines	Matthews	Schwegler	Whitney F G
Conklin	Hamilton	McCue	Shuttleworth	Whitney G H
Cunningham	Hamm	Mead	Sinclair	Yale
Cuvillier	Harawitz	Miller	Smith A E	Young
Dominy	Harris	Moreland	Smith Myron	

Those who voted in the negative were:

Baumann	Dobbs	Flanagan	Hammond	Northrup
Brown	Donnelly	Foley C F	Harper	Schmidt
Cavanaugh	Dowling	Garbe	Holmes	Smith C
Collins	Eichhorn	Geoghagan	Maher	Surpless
Colné	Fay	Glore	Mallon	Voss
Conrady	Feth	Goldberg	Mooney	Weber
De Groot	Filley	Hackett	Murphy C F	Winters

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill

(No. 1720) entitled "An act to amend the Insurance Law in relation to securities guaranty corporations." (Rec. No. 461.)

On motion of Mr. Frisbie, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colne	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 291) entitled "An act to amend chapter four hundred and sixty-six of the Laws of nineteen hundred and one (the Greater

New York charter), by providing for the licensing of theatre ticket brokers, and the regulation of the theatre brokerage business" (Rec. No. 488). Said bill having been announced for a second reading,

On motion of Mr. Moreland, and by unanimous consent, said bill was made a special order on second and third reading for Thursday next, immediately after the reading of the journal.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,
ALBANY, June 11, 1907.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 2713, Int. No. 1867) entitled "An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled 'An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof,' in relation to increase of the salary of the assistant chief, electrician and permanent firemen of the fire department of said village."

CHARLES E. HUGHES.

Said bill having been announced, Mr. G. H. Whitney moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Mead	Sheridan
Apgar	Dowling	Hamilton	Merritt	Shuttleworth
Averill	Draper	Hammond	Miller	Sinclair
Baldwin	Dudley	Hamn	Mills	Smith A E
Baumann	Duell	Harawitz	Mooney	Smith C
Blue	Eggleston	Harper	Moreland	Smith Myron
Bohan	Eichhorn	Harris	Morgan	Staley
Boshart	Farrell	Hart	Murphy C F	Stern
Brady	Ferguson	Hoey	Murphy G W	Stratton
Brough	Feth	Holmes	Nevins	Surpless

Brown	Fillee	Hubbs	Northrup	Todd
Buckley	Flanagan	Hurd	Norton	Volk
Burhyte	Foley J A	Huth	O'Brian	Voss
Burns	Fowler	Jacobs	Oliver	Wainwright
Burzynski	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Collins	Garbe	Lewis	Prentice	Weimert
Colné	Geoghagan	Loos	Prince	Wells
Conklin	Glore	Lowe	Ralston	Whitley
Conrady	Gluck	Lupton	Reece	Whitney F G
Croak	Glynn	Maher	Robinson	Whitney G H
Cunningham	Goldberg	Mallon	Rogers	Winters
Cuvillier	Green	Marlatt	Schmidt	Wood
De Groot	Gunderman	Matthews	Schoeneck	Yale
Dobbs	Hackett	McCue	Schwegler	Young
Dominy				

Mr. G. H. Whitney moved that said bill be recommitted to the committee on affairs of villages, with instructions to report the same forthwith amended as follows:

Page 4, before word "at" line 8, insert bracket.

Page 4, after word "telegraph", line 13, insert bracket.

Page 4, line 17, insert bracket before "the" and insert bracket after word "annum", line 19.

Page 4, line 20, insert bracket before the word "and" and insert bracket after the word "annum", line 22.

Page 4, line 22, after "be" at end of line, insert "Fixed by the commission with the approval of the board of trustees."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hubbs, from the committee on affairs of villages, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate returned the Assembly bill (No. 2692, Senate re-print No. 1825, Int. No. 954) entitled "An act to amend the Greater New York charter, relative to the police pension fund," with a message that they have concurred in the passage of the same, with the following amendments:

On page 11, line 15, after "the" insert "dependent parents, or".

Same page, line 16, after "the" insert "dependent parent or parents, or".

Same page, line 19, after "the" insert "dependent parent or parents, or patents, or".

On page 13, line 12, after "the" insert "dependent parent or parents, or".

Same page, line 15, after "such" insert "dependent parent, or".

Same page, line 18, after "such" insert "dependent parent, or".

Same page, line 22, after "the" insert "dependent parent, or".

Mr. Dowling moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colne	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2628, Senate re-print No. 1824, Int. No. 1837) entitled "An act to amend the Lien Law, in relation to filing of assignments of contracts for

public improvements, and moneys due and to become due thereon," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 1 of title, after " of " insert " assignments of ".

Same page and line, after " contracts " strike out " and ".

Same page, line 2 of title, before " for " strike out " orders ".

Same page and line, after " improvements " strike out the period and insert a comma and the following, " and moneys due and to become due thereon ".

Mr. Young moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and, upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surplless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2735, Senate re-print No. 1823, Int. No. 1877) entitled "An act conferring jurisdiction upon the Court of Claims to rehear and determine the alleged claim of Michael C. Murphy against the State, for damages alleged to have been sustained by him, and to render judgment therefor," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 2 of title, after "the" insert "alleged".

Same page and line, after "state" insert "for damages alleged to have been sustained by him".

Same page, line 3 of title, after "to strike out" "make an award" and insert "render judgment".

On page 1, line 2, after "the" insert "alleged".

On page 1, between lines 8 and 9, insert the following new section:

"§ 2. No award shall be made or judgment rendered herein against the state, unless the facts proved shall make out a case against the state, which would create a liability, were the same established in evidence in a court of law or equity against an individual or corporation; and in case such liability shall be satisfactorily established, then the court of claims shall award to and render judgment for the claimant for such sum as shall be just and equitable, notwithstanding the lapse of time since the accruing of damages, provided the claim hereunder is filed with the court of claims within one year after the passage of this act, provided, however, that nothing in this act, nor the fact of the passage of the same, shall be deemed or construed to have acknowledged or created any liability on the part of the state, nor shall the passage of this act be construed as debarring the state from interposing any legal or equitable defense which it would otherwise have against the alleged claim, except the statute of limitation."

On page 1, line 9, before "This" strike out "2." and insert "3."

Mr. Moreland moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2557, Senate reprint No. 1674, Int. No. 765) entitled "An act to amend the Penal Code, relative to the destruction of dangerous weapons," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 6, after "knife" strike out all down to and including the word "limb", line 8.

On page 2, line 11, after "destroy" strike out "or shatter".

Same page, line 12, after "destroyed" strike out "or shattered".

Mr. Prentice moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined

in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2313, Senate reprint No. 1813, Int. No. 1519) entitled "An act to provide for the government and to supplement the provisions of law relating to the city of Schenectady," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, between lines 7 and 8, insert a new line as follows:
"6. Official and fiscal years."

On page 2, line 17, before the word "clerk" strike out the word "county".

On page 3, line 3, before the word "clerk" strike out the word "county". Same page, line 10, before the word "clerk" strike out the word "county".

On page 5, line 10, before the word "clerk" strike out the word "county". Same page, line 13, before the word "clerk" strike out the word "county".

On page 8, between lines 4 and 5, insert the following: "Sub-division 14. The said city shall be divided into election districts and necessary election officers for such election districts appointed as provided by law with reference to ward boundary lines as established by this act. The elective ward officers for the respective wards of the said city as said wards are established by this act shall be elected at the city election to be held on the Tuesday succeeding the first Monday in November, 1907." Same page, line 16, after the word "terms" strike out the colon and insert a period.

On page 9, strike out all of line 9. Same page, between lines 9 and 10, insert the following:

"13. Powers of members to incur expenses."

"14. Special reports to common council."

"15. Members of common council not to hold city office."

On page 12, line 6, after "garbage" insert "dead animals". Same page, line 8, after "regulate" insert "or prohibit". Same page, line 21, after the word "to" strike out "regulate" and insert in lieu thereof "prohibit".

On page 13, line 22, after "regulate" insert "or prohibit".

On page 14, after "regulate" insert "or prohibit". Same page, line 8, after "regulate" insert "or prohibit". Same page, line 13, after "regulate" insert "or prohibit". Same page, line 14, after "regulate" insert "or prohibit".

On page 15, line 26, before the word "shall" strike out the word "works" and insert "work".

On page 16, line 21, after "except" strike out "a building entrance or". Same page, line 22, after the word "thereof" strike out "for business purposes or".

On page 17, line 4, before the word "regulate" strike out "license and".

Same page, line 16, after "times" insert "a license tag and".

On page 18, after "regulate" strike out "physicians, surgeons, dentists". Same page, line 8, after the word "code" insert a semicolon and the following: "to license and regulate".

On page 19, line 26, after "mayor" strike out "and counter-signed by the city clerk".

On page 20, line 4, after "expenses" insert a period and strike out all down to and including the word "funds", line 6. Same page, line 13, after the word "removed" strike out "at the expense of the city" and insert in lieu thereof "by the city". Same page and line, after "declare" strike out "such" and insert "the". Same page, line 14, after "pense" insert "thereof".

On page 21, line 4, after "regulate" strike out the word "and" and insert "or".

One page 24, between lines 16 and 17, insert as follows:

"Subd. 6. The ordinances heretofore adopted by the common council of the city of Schenectady and known as the building code of the city of Schenectady, with such amendments as from time to time may be made thereto by such common council by ordinance, shall continue to be the building code of the city of Schenectady. The office of building inspector as established by such building code is hereby continued. The salary of such building inspector shall be the same as heretofore fixed by the board of estimate and apportionment by a new resolution or order to change such salary. In addition to the powers and duties prescribed by such building code of the city of Schenectady, the building inspector shall have such other powers and discharge such other duties as may be granted or prescribed by the common council.

"Subd. 7. Every ordinance imposing a penalty or forfeiture for the violation thereof, shall, before the same shall take effect, be published three times in each week for two successive weeks in the official newspaper of the city, provided that in case of insurrection, riot, conflagration, or other public necessity requiring immediate operation of such ordinance it shall take effect as soon as proclamation thereof has been made by the mayor and it, with such proclamation has been posted in five public places in such city."

Same page, line 22, after "paid" insert "weekly".

On page 25, line 24, after "the" insert "comptroller and".

On page 26, commencing with line 3, strike out all down to and including line 23. Same page, line 23, before "Powers" strike out "14" and insert "13".

On page 27, line 4, before "Special" strike out "15" and insert "14". Same page, line 14, before "Members" strike out "16" and insert "15".

On page 29, line 1, after "works" strike out all down to and including the word "a" line 8. Same page, line 8, before "commissioner" insert "The".

On page 30, line 18, after "missioner" insert "with the assent of the board of estimate and apportionment".

On page 32, line 16, after "the" strike out "approval" and insert "assent". Same page and line, after "the" strike out "common council" and insert "board of estimate and apportionment".

On page 35, line 26, after the word "days" insert "the said city treasurer may issue his warrant under his hand and the seal of said city to an election of said city, who when appointed, shall be a collector of taxes of said city, or to as many of them as he

shall deem necessary not exceeding four, commanding said officer or officers to collect said unpaid water rents in such manner as is provided by law for the collection of taxes by distress and sale, and to pay the same to the city treasurer and return such warrant within thirty days after the receipt thereof, unless the time for the return thereof shall have been extended by the endorsement thereon by said treasurer. Such collector or collectors shall, prior to the delivery of said warrants, make and execute a bond to the city of Schenectady, approved by the mayor and city treasurer as to form and sufficiency, conditioned for the faithful performance of all his duties as required by law for collection of taxes. Such collectors shall proceed in the same manner and shall have the same power and authority for the collection of water rents as is prescribed by law for collectors of taxes."

Same page, line 26, after "days" strike out rest of line.

On page 36, commencing with line 1, strike out all down to and including the word "him" line 14.

On page 42, line 9, before "of" strike out "Appointment" and insert "Apportionment".

On page 46, line 5, after "works" strike out "may" and insert "shall".

On page 47, line 21, after "next" strike out "proceeding" and insert "preceding".

On page 48, line 10, before "dollars" strike out "twenty" and insert "fifty".

On page 52, after "for" on line 12, insert "together with an official abstract of title".

On page 56, line 24, after "report" strike out all down to and including "the" line 25.

On page 57, line 1, before "and" strike out "official newspaper". Same page and line, after "thereof" insert "shall be".

On page 68, line 2, after "same" insert "provided such notice shall have been given within six months after such sale."

On page 82, line 15, after "ordinance" insert "within ten days after service of such notice".

On page 87, line 2, after "sections" strike out "forty" and insert "seventy-five". Same page, line 3, before "both" strike out "to forty-five" and insert "to seventy-six". Same page, line 18, after "sections" strike out "thirty-five" and insert "sixty-six". Same page and line, after "to" strike out "thirty-nine" and insert "seventy". Same page, line 25, after "section" strike out "sixty-five" and insert "ninety-five".

On page 88, line 10, after "section" strike out "fifty-two" and insert "eighty-three". Same page, line 14, after "section" strike out "fifty-two" and insert "eighty-three". Same

page, line 21, after "section" strike out "sixty-five" and insert "ninety-five".

On page 91, line 16, after the word "section" strike out "eighty-five" and insert "one hundred and sixteen".

On page 96, line 23, after "sections" strike out "fifty-two" and insert "eighty-three". Same page and line, after "or" strike out "seventy-three" and insert "one hundred and four".

On page 101, line 1, after "section" strike out "sixteen" and insert "forty-seven". Same page, line 3, after "section" strike out "fifty-two" and insert "eighty-three". Same page, line 6, after "section" strike out "seventy-one" and insert "one hundred and one".

On page 104, strike out all of line 1. Same page, line 2, before "137." insert "Section". Same page, between lines 11 and 12, insert "146. Health physicians."

On page 106, line 8, after the word "be" insert "prescribed by law, the ordinances of the common council or as may be".

On page 110, line 1, after "and" strike out "three" and insert "eight".

On page 112, strike out all of lines 24, 25, 26.

On page 113, strike out all of lines 1, 2, 3, 4, 5. Same page, line 7, after "established" strike out all down to and including the word "ninety-nine", line 8, and insert "by law or by ordinance of the common council.". Same page, line 17, after "constructed" strike out all down to and including the word "such", line 25, and insert "as now or hereafter provided by the ordinance of the common council."

On page 114, strike out lines 1, 2, 3, 4.

On page 119, strike out line 22.

On page 120, line 7, after "conferred" strike out all down to and including the word "court", line 8, and insert "There shall be one judge of the city court to be known as the city judge. Said office shall be filled by election by the electors of the city at the said election. The term of the city judge shall be four years and he shall receive an annual salary of two thousand five hundred dollars. No person shall be eligible for election to the office of city judge unless he be an elector and an attorney of the supreme court of the state."

On page 121, after "jurisdiction" strike out "of city clerk and". Same page and line, after "city" strike out "judge" and insert "court". Same page, line 5, after "exceed" strike out "five hundred" and insert "one thousand". Same page, line 7, after "exceed" strike out "one" and insert "two".

On page 123, line 16, after "has" insert "retained an attorney or".

On page 125, line 1, after "court" insert "containing the name of the attorney, if any, of the prevailing party".

On page 127, strike out all of lines 3, 4, 5, 6, 7.

On page 130 strike out line 16. Same page, line 17, strike out "201." and insert "200.". Between lines 17 and 18 insert the following: "201a. Other officers.". Same page, line 18. strike out "202." and insert "201.".

On page 131, strike out lines 17, 18, 19, 20, 21, 22, 23, 24. Same page, line 25, before "Garbage" strike out "201." and insert "200.".

On page 132, between lines 22 and 23, insert "201a. Other officers.— There shall be appointed by the mayor a city marshal, who shall be janitor of the city hall, a city physician and thirty commissioners of deeds and their term of office shall be two years, respectively, unless sooner removed by the mayor. Commissioners of deeds of the city of Schenectady may discharge their duties at any place within the county of Schenectady. The mayor, the comptroller, the treasurer, the president of the common council, city engineer, the corporation council, any assistant corporation council, city clerk, deputy city clerk, police justice, city judge, the clerk of the city court, shall each have the powers of a commissioner of deeds of the city of Schenectady. The city physician and the city marshal shall perform such duties as the common council shall require and have such powers as the common council may confer upon them."

On page 133, strike out "Section 203. Board of" and insert "202. Assessors.".

On page 134, line 24, strike out "203. Board of" and insert "202. Assessors.".

On page 135, line 2, after "meet" insert "at the mayor's office".

On page 149, line 11, after "seven" insert "except the provision for the election of ward officers in the month of November, nineteen hundred and seven, and the provision for the division of the city into election districts and the appointment of election officers therefor, which said provisions shall take effect immediately.".

Mr. Frisbie moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present,

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Meritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss
Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

By unanimous consent, Mr. Cunningham offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on rules be discharged from the further consideration of the bill (No. 2907, Int. No. 1976) entitled "An act to legalize certain acts of the mayor and common council of the city of Kingston, in relation to grading certain streets and constructing sewers therein and validating the acts of the common council and assessor in letting contracts, and for levying assessments and collecting taxes for such improvements."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced.

On motion of Mr. Cunningham, and by unanimous consent, said bill was read the second time and ordered to a third reading.

A message from the Governor was received and read, in words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it:

Therefore, in accordance with the provisions of section 15 of article 3 of the Constitution and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Assembly bill (Int. No. 1976, print No. 2907) entitled "An act to legalize certain acts of the mayor and common council of the city of Kingston, in relation to grading certain streets and constructing sewers therein and validating the acts of the common council and assessor in letting contracts and for levying assessments and collecting taxes for such improvements.

Given under my hand and the privy seal of the State at the Capitol in the city of Albany this eleventh day of June, in the year of our Lord one thousand nine hundred and seven.

(Signed.) CHARLES E. HUGHES.

By the Governor,

ROBERT H. FULLER,

Secretary to the Governor.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, the necessity for the immediate passage of the same having been certified by the Governor, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Smith Myron
Blue	Eggleston	Harris	Morgan	Staley
Bohan	Eichhorn	Hart	Murphy C F	Stern
Boshart	Farrell	Hoey	Murphy G W	Stratton
Brady	Ferguson	Holmes	Nevins	Surpless
Brough	Feth	Hubbs	Northrup	Todd
Brown	Filley	Hurd	Norton	Volk
Buckley	Flanagan	Huth	O'Brian	Voss

Burhyte	Foley J A	Jacobs	Oliver	Waddell
Burns	Fowler	Keller	Parker	Wainwright
Burzynski	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prentice	Weber
Collins	Garbe	Loos	Prince	Weimert
Colné	Geoghagan	Lowe	Ralston	Wells
Conklin	Glore	Lupton	Reece	Whitley
Conrady	Gluck	Maher	Robinson	Whitney F G
Croak	Glynn	Mallon	Rogers	Whitney G H
Cunningham	Goldberg	Marlatt	Schmidt	Winters
Cuvillier	Green	Matthews	Schoeneck	Wood
De Groot	Gunderman	McCue	Schwegler	Yale
Dobbs	Hackett	Mead	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Schoeneck called up his motion to reconsider the vote by which Assembly bill (No. 2881, Int. No. 1640) entitled "An act to amend the Insurance Law, relating to the certificate of authority of agents and to the election of directors," was passed.

Mr. Schoeneck: Mr. Speaker, since I made the motion to reconsider this bill I have learned that an identical bill introduced in the Senate has been amended so as to eliminate from the bill some of the objectionable features contained in section 34, so that the bill is perfectly satisfactory to me. I understand — and I have thought somewhat of withdrawing my motion to reconsider but I understand that there are members here who do not feel satisfied with the form of the bill that has been amended in the Senate and because the withdrawal of my motion to reconsider would place them in a position where they could not renew the motion, and thus enable the bill to pass this House in its present form without any discussion or any attempt to amend the bill, I give notice to the members who still object to the form of the bill that unless they feel, see fit to offer the amendments which they have suggested that I shall withdraw my motion to reconsider.

Mr. Speaker: The House will be in order.

Mr. Rogers: Mr. Speaker, I do not quite understand the procedure which the gentlemen have in mind. Since the pending motion is a motion to reconsider the vote by which the bill is passed and since no amendment can be offered or entertained until the disposal of that motion and Mr. Schoeneck is hesitating or at least deliberating whether to withdraw his motion or not.

And until he determines that question I cannot very well go on with the discussion.

Mr. Schoeneck: Mr. Speaker, I desire to withdraw my motion to reconsider bill No. 2881, there being no disposition on the part of any other members to discuss that motion.

By unanimous consent, Mr. Schoeneck withdraw said motion to reconsider.

Mr. Oliver renewed the motion to reconsider.

Mr. Rogers raised the point of order that the motion to reconsider could not be renewed under rule twenty-five, as said motion to renew was not made within the time prescribed by said rule.

Mr. Speaker held the point of order well taken.

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Pursuant to notice, Mr. Rogers moved to suspend rules Nos. 5, 6, 9, 10, 11, 12, 13, 18, 19, 20, 21, 22, 23, 49, 54, and also the special rule adopted by this House on April twenty-fifth, nineteen hundred and seven, for the purpose of discharging any and all committees of this House from the further consideration of Senate bill (No. 1244), entitled "An act to limit the application of the provisions of section ninety-three of the Railroad Law, ratifying and confirming certain contracts, so far as such provisions apply to the city of Binghamton," and for the purpose of advancing out of its order, and passing, said bill.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

AYES 25

NOES 75

Those who voted in the affirmative were:

Blue	Cuvillier	Gray	Mance	Rogers
Buckley	Dobbs	Harper	Nevins	Schoeneck
Chamberlain	Flanagan	Holmes	Newton	Stratton
Collins	Garbe	Jackson	Northrup	Wainwright
Cunningham	Glynn	Jacobs	Patton	Walters

Those who voted in the negative were:

Allen	Dowling	Gunderman	Matthews	Smith Myron
Averill	Draper	Hackett	Merritt	Stanton
Baumann	Dudley	Hamilton	Moreland	Surpluss
Bohan	Eichhorn	Hammond	Murphy C F	Voss

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PLAN OF INDEX.

This Journal is indexed upon the following plan:

1. Every bill relating to a locality may be found indexed under the name of that locality and ordinarily will not be found indexed under the subject to which it relates.

2. All bills relating to Kings county will be found under the New York, General, and all bills relating to Greater New York under New York City, General, and New York City, Charter.

3. Every general bill will be found indexed under the proper subject.

4. Every resolution, excepting those recalling bills, will be found under "Resolutions."

5. Every bill relating to canals will be found under "Canals."

6. The bills relating to general laws under the proper heads, i. e., "Banking Law," "Benevolent Orders Law," "Game Law," "Lien Law," "Revised Statutes," &c., &c., also under the head "General Laws."

7. All claim bills under "Claims."

8. Bills relating to cities of either class under "Cities of 1st Class," "Cities of 2d Class," &c., &c.

9. All code amendments under the heads of "Code Civil," "Code Criminal," and "Code Penal."

10. All petitions under "Petitions," and reports under "Reports."

11. All points of order under "Points of Order."

12. All decisions and acts of Speaker under "Speaker."

13. Privileges of floor under "Privilege."

14. All matters not relating to bills under the proper head.

15. The numbers used in this index, viz.: "Int. No.," refers to Assembly bill and its introductory number, and when "Rec. No." is used, it refers to a Senate bill and its reception number.

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